



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91802-1460

GAIL FARBER, Director

September 03, 2013

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

27 September 3, 2013

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

WILSHIRE BOULEVARD BUS RAPID TRANSIT DELEGATE AUTHORITY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF LOS ANGELES AND THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY, DESIGN AND CONSTRUCT THE PROJECT AND EXECUTE DOCUMENTS IN CONNECTION WITH THE ACQUISITION OF RIGHT OF WAY AND TO ADOPT, ADVERTISE, AND AWARD THE PROJECT IN THE UNINCORPORATED WEST LOS ANGELES AREA (SUPERVISORIAL DISTRICT 3) (3 VOTES)

SUBJECT

This action is to delegate authority to the Director of Public Works or her designee to enter into a Memorandum of Understanding between the County of Los Angeles and the Los Angeles County Metropolitan Transportation Authority for design and construction of a peak-hour bus lane in the eastbound direction of Wilshire Boulevard between Federal Avenue/San Vicente Boulevard and Bonsall Avenue in the unincorporated West Los Angeles area; execute documents necessary for the acquisition of right of way; approve the project; consider the addendum to the Revised Final Environmental Impact Report, carry out accelerated delivery of the project, including the delegation of authority to the Director of Public Works or her designee to adopt the plans and specifications; call for bids; award and execute a consultant services agreement with the apparent responsible contractor with the lowest responsive bid for the preparation of a baseline construction schedule and a storm water pollution prevention plan for a fee not to exceed \$15,000; award and execute a construction contract with the apparent responsible contractor with the lowest responsive bid; and delegate certain responsibilities to the Director of Public Works or her designee to carry out this project.

IT IS RECOMMENDED THAT THE BOARD:

1. Acting as a responsible agency for the proposed project, consider the Addendum to the Revised Final Environmental Impact Report/Environmental Assessment prepared by the Los Angeles County Metropolitan Transportation Authority as lead agency, certify that your Board has independently considered and reached its own conclusions regarding the environmental effects of the project as shown in the Addendum, find on the basis of the whole record before your Board that there is no substantial evidence the project will have a significant effect on the environment.
2. Delegate authority to the Director of Public Works or her designee to negotiate and enter into a Memorandum of Understanding and any subsequent amendments with the Los Angeles County Metropolitan Transportation Authority for design and construction of a peak-hour bus lane in the eastbound direction of Wilshire Boulevard between Federal Avenue/San Vicente Boulevard and Bonsall Avenue.
3. Delegate authority to the Director of Public Works or her designee to execute 50-year Revocable Licenses for Non-Federal Use of Real Property, with the Department of Veterans Affairs, and execute a 25-year Public Road or Street Easement document with the Department of the Army.
4. Approve the project and delegate to the Director of Public Works or her designee the authority to adopt the plans and specifications and call for bids, at an estimated construction contract cost between \$3,000,000 and \$4,200,000.
5. Authorize the Director of Public Works or her designee to award and execute a consultant services agreement with the apparent responsible contractor with the lowest responsive bid to prepare a baseline construction schedule and a storm water pollution prevention plan for a fee not to exceed \$15,000 funded by existing project funds.
6. Authorize the Director of Public Works or her designee to award and execute a construction contract with the apparent responsible contractor with the lowest responsive bid, so long as the construction bid amount does not exceed the estimated construction cost range for the project, approve the Faithful Performance and Labor and Material bonds and insurance certificate submitted by the contractor, and take all other actions necessary and appropriate to fully deliver the project.
7. Delegate to the Director of Public Works or her designee the following authority in connection with this contract: (1) approve and execute change orders within the same monetary limits delegated to the Director of Public Works under Section 2.18.050 of the Los Angeles County Code relative to the construction of County buildings; (2) allow substitution of subcontractors and relief of bidders upon demonstration of the grounds set forth in Public Contract Code Sections 4100 et seq. and 5100 et seq., respectively; (3) accept the project upon its final completion; (4) release retention money withheld consistent with the requirements of Public Contract Code Sections 7107 and 9203; and (5) extend the date and time for the receipt of bids consistent with the requirements of Public Contract Code Section 4104.5.
8. Authorize the Chief Executive Officer to permit the Director of Public Works or her designee to award and execute a construction contract for the project if the lowest responsive bid exceeds the estimated cost range and if the Chief Executive Officer finds that additional and appropriate funds have been identified.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

This request is to authorize the Director of Public Works or her designee to enter into a

Memorandum of Understanding (MOU) between the County of Los Angeles and the Los Angeles County Metropolitan Transportation Authority (LACMTA), to accelerate the processing of the MOU and to allow for expedited execution of amendments and extensions to the MOU. Additionally, this request is to obtain approval of the project and to carry out its accelerated delivery. The recommended actions are necessary for the Director or her designee to adopt the plans and specifications for the project, call for bids, award and execute a consultant services agreement, and award a construction contract at the earliest possible date to coincide with the City of Los Angeles' planned construction in the area in January 2014. The recommendations contained herein will allow the Department of Public Works to advertise and award the project for the reconstruction and resurfacing of roadway pavement, installation of street lighting, relocation of traffic signals, and the performance of other appurtenant work as expeditiously as possible. Property rights are required to construct, operate, and maintain sidewalk, curb and gutter, landscaping, and drainage systems over property under the control of the Department of Veterans Affairs (VA) and the Department of the Army (Army).

The purpose of the agreement is to collect a baseline construction schedule and a storm water pollution prevention plan that conform to the County's specifications, which is critical to successfully manage construction activities by both the contractor and the County, and a responsible contractor must be able to produce these deliverables. Bid specifications provide that if the contractor fails to complete acceptable deliverables, Public Works may return to the Board to recommend that the contractor be determined nonresponsible and recommend award of the construction contract to the next apparent responsible contractor with the lowest responsive bid contingent on that bidder completing deliverables, which conform to the County's specifications.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Integrated Services Delivery (Goal 3). The recommended actions will help achieve these goals by accelerating the delivery of this project to benefit our communities and the traveling public and improve their quality of life.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated construction contract cost is in the range of \$3,000,000 and \$4,200,000. The total project cost is estimated to be \$6,000,000. In addition to the construction contract cost, the total project cost includes plans and specifications, consultant services, survey, environmental permit compliance, right-of-way acquisition, utility clearance, materials testing, inspection, contract administration, change order contingency, and other County services.

The Wilshire Boulevard Bus Rapid Transit costs will be partially financed with approximately \$4,000,000 in Federal Transit Administration Very Small Starts Section 5309 Grant funds and LACMTA Proposition C 25 Percent Grant funds. Funding for the project is included in the Third Supervisorial District's Road Construction Program in the Fiscal Year 2013-14 Road Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The MOU, to be executed in substantially the form as the enclosed version, will provide for the LACMTA to contribute \$4,000,000 in Federal and local grant funds to the County for the Wilshire Boulevard Bus Rapid Transit to implement an eastbound peak period bus lane along Wilshire

Boulevard between Federal Avenue and Bonsall Avenue. Under the terms of the MOU, the County will oversee the delivery of the project including preparation of plans and specifications and administering the construction of the project.

The VA and the Army are the property owners that are affected by the road improvement project and have provided the terms and conditions of the tentative Revocable License for non-Federal Use of Real Property and 25-year easement, respectively. The mentioned documents will be approved and executed by the Director or her designee.

Delegating to the Director or her designee the authority to adopt the plans and specifications; advertise for bids; award and execute a consultant services agreement for preparation of a baseline construction schedule and a storm water pollution prevention plan; and award and execute a construction contract will allow an accelerated process for delivery of the project. The contract agreement will be in the form previously reviewed and approved by County Counsel.

The authority delegated in Recommendation 5 will allow the Director or her designee to award a contract within the construction bid range for the project. In the event that the construction cost of the lowest responsive bid exceeds the bid range, Recommendation 7 will allow the project to be awarded, if deemed appropriate and in the County's best interest, by the Chief Executive Officer. Prior to any out-of-range award, the Director or her designee will notify the CEO and the Third Supervisorial District of the intended funding source to finance the cost increase. The CEO will evaluate the funding and decide if the contract should be awarded or have the matter brought before the Board for consideration. Section 20395 of the State Public Contract Code allows the Board the ability to delegate authority to the Director or her designee to carry out all aspects of this project consistent with the recommendations contained herein.

This project is part of Public Works' ongoing highway construction and maintenance program. It will be advertised in accordance with Section 20392 of the State of Public Contract Code.

The award of the contract will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting the Board's ordinances, policies, and programs including, but not limited to: Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the Los Angeles County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of

performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

ENVIRONMENTAL DOCUMENTATION

On July 5, 2011, Agenda Item 36, the Board, acting as a responsible agency adopted the Mitigation Monitoring and Reporting Program and the Environmental Findings of Fact and Statement of Overriding Considerations of the Revised Final Environmental Impact Report/Environmental Assessment (FEIR/EA) prepared and certified by the LACMTA as lead agency for the project. The FEIR/EA found that on the basis of the whole record before the Board that the significant adverse effects of the project have either been reduced to an acceptable level or are outweighed by the specific consideration of the project as outlined in the Findings of Fact and Statement of Overriding Considerations in accordance with the provisions of the California Environmental Quality Act (CEQA).

In accordance with Sections 15162 and 15164(b) of the Guidelines for CEQA, an Addendum to the FEIR/EA was prepared by the lead agency, the LACMTA, since there are only minor technical changes or additions that do not result in any significant effect on the environment. The changes are identified in the enclosed Addendum.

Upon the Board's approval of the project, Public Works will file a Notice of Determination with the County Clerk in accordance with Section 21152(a) of the California Public Resources Code and pay the required processing fee with the County Clerk in the amount of \$75.

CONTRACTING PROCESS

This project will be contracted on an open-competitive bid basis. A recommendation for award by the Director or her designee will be made after review of the bids. The contract will be awarded to a responsible contractor who submits the lowest responsive bid meeting the criteria established by the Board and the State Public Contract Code. The County Local Small Business Enterprise preference will not be applied to the determination of the lowest responsive and responsible bidder. To be eligible for the Federal funds financing the majority of this project, Title 49, Code of Federal Regulations, requires award to the lowest bidder.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on the County website for upcoming bids.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, it will have a positive impact by providing improved highway facilities for the traveling public thereby benefiting the community.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Construction

The Honorable Board of Supervisors

9/3/2013

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Division.

Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The signature is written in a cursive, flowing style.

GAIL FARBER

Director

GF:SA:lg

Enclosures

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office
Internal Services Department (Countywide
Contract Compliance)

Enclosure 1

MOU

AGREEMENT

This Agreement is dated effective as of April 1, 2012, and is by and between the County of Los Angeles by and through its Department of Public Works (the "County") and the Los Angeles County Metropolitan Transportation Authority ("LACMTA").

RECITALS:

- A. On December 13, 2007, the Federal Transit Administration (FTA) provided LACMTA with pre-award authority to incur costs on the Wilshire Bus Rapid Transit (BRT) Project for project development activities prior to grant approval (Attachment A).
- B. In FY 2009 and FY 2010, Congress appropriated \$9,758,526 and \$13,558,474, respectively, for a total of \$23,317,000 in Section 5309 federal funds (the "Federal Funds") from the Very Small Starts Program for the development and construction of the Wilshire BRT Project. The MTA prepared and submitted a grant application to the Federal Transit Administration (FTA) for the Project and will enter into a grant agreement with FTA (the "Federal Grant"). FTA has not yet approved the Federal Grant; however, the Project has received a Finding of No Significant Impact ("FONSI").
- C. The LACMTA Board of Directors at its May 26, 2011 meeting approved Alternative A-1 as the Locally Preferred Alternative (LPA) for the Wilshire BRT Project. Alternative A-1 includes a 12.5 mile project corridor along Wilshire Boulevard with 0.8 miles of the Wilshire BRT Project in the unincorporated territory of the County of Los Angeles (Attachment B).
- D. At their July 5, 2011 meeting, the County of Los Angeles Board of Supervisors also approved Alternative A-1 for the Wilshire BRT Project (Attachment C).
- E. As part of the Wilshire BRT Project, the County seeks to implement a number of improvements along the 0.8 miles of Wilshire Boulevard within the County of Los Angeles, including 0.4 miles of peak period bus lanes, as set forth in the Scope of Work (Attachment D), the Funding Plan (Attachment E), the Expenditure Plan (Attachment F) and the Project Schedule (Attachment G), which are collectively referred to herein as the "Project".
- F. The total Project budget is \$3,173,145. LACMTA desires to pass through to the County \$2,348,127 of Federal Funds allocated for the Project and grant to the County \$825,018 (the "Prop C Funds") of LACMTA Proposition C 25% funds for

the Project. The County has agreed to provide any additional funding necessary to complete the Project. Collectively, these funding amounts constitute the Project budget and are referred to herein as the "Funds".

- G. The County understands the Federal Funds provided herein are subject to the federal lapsing policy. The County has obtained environmental clearance as required by federal regulations.
- H. The parties hereby desire to execute this Agreement to authorize LACMTA to serve as the pass through agency for the Federal Funds and for LACMTA to grant the Prop C Funds to the County, all as set forth herein.

1. **FUNDS AVAILABILITY**

To the extent that MTA receives the Federal Funds pursuant to the Federal Grant, LACMTA shall provide up to \$2,348,127 of such Federal Funds to the County and to the extent the Prop C Funds are available, LACMTA shall make a one time grant to the County of \$825,018 of Prop C funds for the Project, subject to the terms and conditions contained herein. These Funds have been programmed to the Project as follows: \$200,000 in Fiscal Years (FY) 2009-2011, \$275,000 in FY 2012, \$373,000 in FY 2013, \$1,580,000 in FY 2014, and \$745,145 in FY 2015. All Federal funds are contingent upon Federal appropriation and FTA's approval of a grant application. All Prop C Funds are subject to annual LACMTA Board of Directors approval of the fiscal year budget.

2. **PAYMENT OF FEDERAL FUNDS**

2.1 To the extent LACMTA receives Federal Funds pursuant to the Federal Grant, LACMTA shall use such Federal Funds to reimburse the County for eligible Project expenses as set forth herein. Advanced payments of Federal Funds by LACMTA are not allowed.

2.2 Payments to the County will be processed by LACMTA within a reasonable time period, but in no event more than thirty (30) calendar days after receipt of a Request for Reimbursement meeting the requirements of Section 4.

2.3 The County shall be subject to and comply with all requirements of the Federal Grant and other applicable requirements of the Federal Department of Transportation (USDOT), Federal Department of Labor (DOL), FTA and of the LACMTA as required by LACMTA to fulfill its responsibilities as the grantee under the Federal Grant, and as a pass-through agency.

3. **TERM**

The term of this Agreement shall commence on April 1, 2012 and shall terminate upon satisfaction of each of the following conditions: (i) the agreed upon Scope of Work has been completed; (ii) all LACMTA audit and reporting requirements have been satisfied; (iii) the Federal Grant has been closed; and (iv) the final disbursement of the Funds has been made to the County.

4. **REQUEST FOR REIMBURSEMENT**

4.1 All eligible Project expenses, as defined in the Scope of Work and Expenditure Plan, incurred after the Agreement is executed shall be reimbursed in accordance with the terms and conditions of this Agreement unless otherwise agreed to by the parties in writing.

4.2 Once a quarter, the County will prepare and submit to LACMTA a certified and original Request for Reimbursement for actual allowable Project costs incurred and paid for by the County consistent with the Scope of Work. Disbursements shall be made on a reimbursement basis using the Request for Reimbursement form which is a part of the Quarterly Progress/Expense Report attached to this Agreement as Attachment H. Instructions to complete the Quarterly Progress/Expense Report can be found in the Reporting & Expenditure Guidelines (Attachment I). At County's election, County may submit a Request for Reimbursement not more frequently than once a month, provided however, with each Request for Reimbursement, County shall still be required to provide a completed Quarterly Progress/Expense Report but on a monthly basis.

4.3 Each Request for Reimbursement will report the total of Project expenditures and will specify the percent and amount of Federal Funds and Prop C Funds to be reimbursed. The Prop C Funds are considered "local match" to the Federal Funds and therefore the Prop C Funds must be invoiced in the appropriate proportion to the Federal Funds with each billing period's expenditures. Each Request for Reimbursement will be accompanied by the Quarterly Progress/Expense Report describing the overall work status and progress on Project tasks.

4.4 The first Request for Reimbursement shall include a report describing any tasks specified in the Scope of Work for pre-development activities, as described in Attachment A and incurred between December 13, 2007 and the effective date of this Agreement.

4.5 The Quarterly Progress/Expense Report with supporting documentation of expenses and Project progress shall be sent to:

Los Angeles County Metropolitan Transportation Authority
Accounts Payable
P. O. Box 512296

Los Angeles, CA 90051-0296

Re: LACMTA MOU#WBRTLACDPW
Michael Richmai, Project Manager
Mail Stop: 99-23-1

With a copy mailed to:

Michael Richmai, Project Manager
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
MS: 99-23-1
Los Angeles, CA 90012

4.6 LACMTA shall retain 5% of the invoice amount until LACMTA has evaluated the County's performance and made a determination that all contract requirements under this Agreement have been satisfactorily fulfilled.

4.7 LACMTA will make all disbursements electronically unless an exception is requested in writing. Disbursements via Automated Clearing House (ACH) will be made at no cost to the County. The County must complete the ACH form and submit such form to LACMTA before any payments can be made.

4.8 Eligible project costs are described in the Scope of Work, Expenditure Plan, Federal Grant and FTA guidelines.

4.9 Each Request for Reimbursement must be submitted on the County's letterhead.

4.10 The County should consult with LACMTA staff for questions regarding non-reimbursable expenses.

4.11 Total reimbursements shall not exceed the Federal Funds and the Prop C Funds provided to the Project.

4.12 If any amounts paid to the County are disallowed or not reimbursed by the FTA or LACMTA for any reason, the County shall remit to LACMTA the disallowed or non-reimbursed amount(s) within 30 days from receipt of LACMTA's notice. All payments made by LACMTA hereunder are subject to the audit provisions contained herein.

5. EFFECTIVE DATE AND START OF REIMBURSABLE ACTIVITIES

Unless written notification is otherwise provided by LACMTA, the effective date and start date of reimbursable activities is the date the FTA issued the FONSI. Actual

reimbursement of eligible work cannot occur until LACMTA and the County execute this agreement and MTA has entered into the Federal Grant agreement.

6. FEDERAL AND PROP C REQUIREMENTS

6.1 The County shall utilize the Funds to complete the Project as described in the Scope of Work and in accordance with this Agreement, the Reporting and Expenditure Guidelines, the Federal Grant and the most recently adopted LACMTA Proposition C Guidelines for the type of Proposition C funds granted by LACMTA hereunder (the "Guidelines"). Attachment D shall constitute the agreed upon Scope of Work between LACMTA and the County for the Project. The Funds, as provided under this Agreement, can only be used towards the completion of the Scope of Work.

6.2 The County's project administration direct costs may be invoiced for up to 5% of the actual grant-eligible project costs. Project administration may consist of direct expense for grants management, project accounting, or procurement activities. Costs for project administration that exceed 5% shall require LACMTA's prior approval of a Project Administration Staffing Plan. No indirect costs may be invoiced to the Project; provided, however, if the County has a federally approved Cost Allocation Plan for the applicable fiscal year, the County may invoice for indirect costs consistent with the federally approved Cost Allocation Plan.

6.3 Costs for design, construction, inspection, or construction management activities may be incurred using the County's labor forces based on one or more of the following conditions: (1) cost savings, (2) exclusive expertise, (3) safety and efficiency of operations, and (4) union agreement. The County must submit to LACMTA a Force Account Plan if labor forces exceed \$100,000 before any Federal Funds can be disbursed to County for County's labor expenses. The Force Account Plan must be consistent with FTA requirements and approved by LACMTA.

6.4 The County understands that the Funds include Federal Funds and FTA requirements apply to the use of the Federal Funds. All FTA requirements and guidelines as summarized in the FTA Master Agreement are incorporated by reference herein as part of this Agreement. These requirements include, but are not limited to:

- (a) Assurances of legal authority.
- (b) Certification of non-debarment, suspension or termination.
- (c) Certification of a drug-free workplace.
- (d) Intergovernmental review.
- (e) Civil Rights review, including Title VI Program review.
- (f) Disadvantaged Business Enterprise (DBE) assurances.
- (g) Disability nondiscrimination (ADA).
- (h) Office of Management and Budget (OMB) certification.
- (i) Lobbying certifications.
- (j) Buy America requirements.

- (k) NEPA environmental review.
- (l) Single audit requirements.
- (m) Circular 9300.1B (Section 5309).
- (n) Circular 5010.1D (Grants Management).
- (o) Circular 4220.1F (Third-Party Contracting).
- (p) Section 5333(b) requirements.

6.5 LACMTA shall not be responsible for providing any funding to substitute for the Federal Funds in the event the Federal Funds for this Project is withdrawn, recalled or not appropriated for any reason.

6.6 The County shall comply with and be responsible for implementing all applicable mitigation measures as identified in the Mitigation Monitoring and Reporting Program requirements (Attachment B), pursuant to Section 21081.6 of the Public Resources Code. The County shall provide status updates of mitigation measures as part of the Quarterly Progress/Expense Report.

6.7 Should LACMTA, DOL and FTA require amendments, revisions, deletions of, or additions to the provisions contained within this Agreement, the County agrees to execute promptly all such amendments, revisions, deletions, or additions, as necessary, to comply with LACMTA, DOL and FTA requirements.

6.8 The County shall not use the Prop C Funds to substitute for any other funds or projects not specified in this Agreement.

6.9 The County must use the Prop C Funds in the most cost-effective manner. If the County intends to use a consultant or contractor to implement all or part of the Project, LACMTA requires that such activities be procured in accordance with the County's contracting procedures and consistent with State and Federal law. The County will also use the Prop C Funds in the most cost-effective manner when the Prop C Funds are used to pay "in-house" staff time. The County staff or consultant with project oversight roles cannot award work to companies in which they have a financial or personal interest. This effective use of funds provision will be verified by LACMTA through on-going Project monitoring and through any LACMTA interim and final audits.

6.10 If the County desires to use the Prop C Funds to purchase/lease equipment (i.e., vehicles, computers, etc.) necessary to perform or provide the services disclosed in the Scope of Work, the County must obtain LACMTA's written consent prior to purchasing/leasing specific equipment. Equipment purchased/leased without such prior written consent shall be deemed an unallowable expenditure of the Prop C Funds. If a facility, equipment (such as computer hardware or software), vehicle or property, purchased or leased using the Prop C Funds, ceases to be used for the proper use as originally stated in the Scope of Work, or the Project is discontinued, any Prop C Funds expended for that purpose must be returned to LACMTA and the County will be required to repay the Funds in proportion to the remaining useful life in accordance with the Guidelines.

6.11 The "FTIP PROJECT SHEET" is attached as Attachment J and is required to ensure that the Project is programmed correctly in the most up-to-date FTIP document. The FTIP PROJECT SHEET can be found in ProgramMetro FTIP database under the reports section at <http://program.metro.net>. All projects that receive Federal Funding must be programmed into the FTIP which includes locally funded regionally significant projects for information and air quality modeling purposes. LACMTA shall review the Project in ProgramMetro each year and update or correct the Project as necessary during a scheduled FTIP amendment or adoption. Changes to the FTIP through ProgramMetro will be made as soon as possible, but no later than October 1 of the year the change or update is effective.

6.12 On September 26, 2002, the LACMTA Board of Directors required that prior to receiving Proposition C 10% or 25% grant funds, the County must meet a Maintenance of Efforts (MOE) requirement consistent with the State of California's MOE as determined by the State Controller's office. With regard to enforcing the MOE, LACMTA will follow the State of California's MOE requirement, including, without limitation, suspension and re-implementation.

7. REPORTING AND AUDIT REQUIREMENTS

7.1 The County shall be subject to and shall comply with all applicable requirements of LACMTA, FTA and DOL regarding Project reporting and audit requirements. The County shall use the assigned FTA Grant number CA-03-0815 on all correspondence.

7.2 The County shall submit the following Reports and Certifications to LACMTA for the duration of the Project:

- (a) Quarterly Narrative and Financial Report on Project progress.
- (b) Copy of the County's official annual fiscal report.
- (c) Copy of the County's annual independent A-133 single audit report of the Project.
- (d) Annual FTA compliance self-certification.
- (e) Other reports that may be required.

7.3 The County shall submit the Quarterly Progress/Expenditure Report (Attachment H) within fifteen (15) days after the close of each quarter in the months of October, January, April and July. Should the County fail to submit such reports within 10 days of the due date and/or submit incomplete reports, LACMTA will not reimburse the County until the completed required reports are received, reviewed, approved. The Quarterly Progress/Expenditure Report shall include all appropriate documentation (such as contractor invoices, timesheets, receipts, etc.). All supporting documents must include a clear justification and explanation of their relevance to the Project. If no activity has occurred during a particular quarter, the County will still be required to submit the Quarterly Progress/Expenditure Report indicating no dollars were expended that quarter. If a request

for reimbursement exceeds \$500,000 in a single month, then the County can submit such an invoice once per month with supporting documentation.

7.4 LACMTA and FTA, and/or their respective designee shall have the right to conduct audits of the Project, as needed, such as financial and compliance audits, interim audits, pre-award audits, performance audits and final audits. The County shall establish and maintain proper accounting procedures and cash management records and documents in accordance with Generally Accepted Accounting Principles (GAAP) as applied to public agencies. The County's expenditures submitted to LACMTA for this project shall be in compliance with Federal Acquisition Regulations, Subpart 31 (FAR). The County shall reimburse LACMTA for any expenditure not in compliance with the Scope of Work or other terms and conditions of this Agreement, or other applicable requirements of LACMTA, FTA or as required under the Federal Grant. LACMTA shall use the Federal Acquisition Regulations (FAR) standards in determining the reasonableness of costs incurred. LACMTA shall have the right to conduct a final LACMTA audit using an outside auditing firm. The findings of that LACMTA audit will be final. When LACMTA audit findings require the County to return monies to LACMTA, the County agrees to return the monies within thirty (30) days after the final audit is sent to the County.

7.5 The County shall retain all original records and documents related to the Project for a period of three (3) years after final payment is made or in accordance with the Federal Grant, whichever time period is longer. The County's records shall include, without limitation, accounting records, written policies and procedures, contract files, original estimates, correspondence, change order files (including documentation covering negotiated settlements), invoices, and any other supporting evidence deemed necessary by LACMTA to substantiate charges related to the Project (all collectively referred to as "records") shall be open to inspection and subject to audit and reproduction by LACMTA auditors or authorized representatives to the extent deemed necessary by LACMTA to adequately permit evaluation of expended costs. Such records subject to audit shall also include, without limitation, those records deemed necessary by LACMTA to evaluate and verify, direct and indirect costs, (including overhead allocations) as they may apply to costs associated with the Project. Payment of retention amounts shall not occur until after the LACMTA's final audit is completed.

7.6 The County shall cause all contractors to comply with the requirements of Sections 7.4 and 7.5 above. The County shall cause all contractors to cooperate fully in furnishing or in making available to LACMTA all records deemed necessary by LACMTA auditors or authorized representatives related to the Project.

7.7 LACMTA or any of its duly authorized representatives, upon reasonable written notice, shall be afforded access to all of the records of the County and its contractors related to the Project, and shall be allowed to interview any employee of the County and its contractors through final payment to the extent reasonably practicable.

7.8 LACMTA or any of its duly authorized representatives, upon reasonable written notice, shall have access to the offices of the County and its contractors,

shall have access to all necessary records, including reproduction at no charge to LACMTA, and shall be provided adequate and appropriate work space in order to conduct audits in compliance with the terms and conditions of this Agreement.

7.9 When business travel associated with the Project requires use of a vehicle, the mileage incurred shall be reimbursed at the mileage rates set by the Internal Revenue Service, as indicated in the United States General Services Administration Federal Travel Regulation, Privately Owned Vehicle Reimbursement Rates.

7.10 In accordance with Section 7.2 (c), the County shall obtain the services of an independent auditor to conduct a single audit of the Project each year in conformance with the provisions of OMB Circular A-133. The audit shall also include an audit of this Agreement, as a pass through of US Department of Transportation funds. The County shall submit a copy of each single audit to LACMTA within thirty (30) days of its completion.

8. **EXPENDITURE AND DISPOSITION OF FUNDS**

8.1 The expenditure and disposition of the Federal Funds by the County shall be subject to and in accordance with the terms and conditions of this Agreement, the Federal Grant and applicable requirements of the LACMTA and FTA. The County shall not utilize the Federal Funds in any way or on any project other than that specified in this Agreement and the Federal Grant.

8.2 The County shall use the contingency funds towards unanticipated eligible costs that arise during the Project. Expenditure of the contingency funds shall be in accordance with the Expenditure Plan (Attachment F) and shall not exceed the budgeted amount for each fiscal year without LACMTA's prior written approval. LACMTA shall provide written consent or approval no later than three (3) days upon the County's request. Unspent contingency funds in any given fiscal year shall be carried over to the next fiscal year.

8.3 The Funding Plan lists the sources of funds for the Project and is attached to this Agreement as Attachment E.

8.4 The County shall be responsible for ensuring that (1) the contractor has completed all of the Work, (2) the contractor has performed the Work in accordance with all applicable Project requirements and (3) all punch list items are completed. Upon completion of the punch list, the County shall issue a Substantial Completion Statement. LACMTA shall inform the County of any outstanding Project issue prior to the issuance of the Substantial Completion Statement.

8.5 The County agrees to secure and provide additional non-LACMTA programmed funds necessary to complete the Project if the Funds identified in Attachment E are insufficient to complete the Project.

8.6 The County is responsible for any and all cost overruns incurred as a result of this Project. Further, the County shall be responsible for covering operating deficits through long term stable and reliable sources of revenue and to maintain and operate this federally funded Project. Under no circumstance will the total amount of money that LACMTA reimburses the County exceed the amount of the Funds.

8.7 No material changes, as determined by LACMTA in its reasonable discretion and subject to the final discretion of the FTA, to the Funding Plan or the Scope of Work shall be funded or allowed without an amendment to this Agreement approved and signed by LACMTA Chief Executive Officer or his designee. The County shall give advance notice to LACMTA of all proposed changes to the Funding Plan or Scope of Work that the County submits to LACMTA.

8.8 Upon completion of the Project described in the Scope of Work and disposition of the 5% retention, any unused Federal Funds shall revert back to the FTA and any unused Proposition C Funds shall revert back to LACMTA.

8.9 The obligation for LACMTA to grant the Prop C Funds for the Project is subject to sufficient Prop C Funds being made available for the Project by the LACMTA Board of Directors. If such Prop C Funds are not available for the Project, this Agreement shall be void and LACMTA shall have no obligation to provide the Prop C Funds for the Project unless otherwise agreed to in writing by LACMTA.

9. TIMELY USE OF FUNDS

9.1 The County shall demonstrate timely use of the Funds by expending the Funds for allowable costs within 36 months from July 1 of the Fiscal Year in which the Funds are programmed, unless otherwise stated in this Agreement. All Funds programmed for FY 2011-12 are subject to lapse by June 30, 2014. All Funds programmed for FY 2012-13 are subject to lapse by June 30, 2015. All Funds programmed for FY 2013-14 are subject to lapse by June 30, 2016.

9.2 In the event this Agreement is not executed and/or evidence of timely use of the Funds is not demonstrated as described in Sections 9.1 of this Agreement, the Project will be re-evaluated by LACMTA and the Funds may be subject to deobligation consistent with FTA requirements. In the event that the Funds are deobligated, this Agreement shall automatically terminate.

10. DEFAULT

A Default under this Agreement is defined as any one or more of the following: (i) the County fails to comply with the terms and conditions contained in this Agreement, the Grant and the Guidelines; (ii) the County fails to perform satisfactorily or to make sufficient progress toward completion, or in breach of Section 8.7 makes a material change to the Scope

of Work or the Funding Plan without LACMTA's and FTA's prior written consent or approval; or (iii) the County is in default of any other applicable requirements of LACMTA or FTA.

11. **REMEDIES**

11.1 In the event of a Default by the County, LACMTA shall provide written notice of such Default to the County with a 30-day period to cure the Default. In the event the County fails to cure the Default, or commit to cure the Default and commence the same within such 30 day period and to the satisfaction of LACMTA, LACMTA shall have the following remedies: (i) LACMTA may terminate this Agreement; (ii) LACMTA may make a determination to make no further disbursements of funds to the County; (iii) LACMTA may recover from the County any funds paid to the County after the Default; and/or (iv) any remedies the FTA may have under the Federal Grant.

11.2 Effective upon receipt of written notice of termination from LACMTA, the County shall not undertake any new work with respect to this Agreement unless so approved by LACMTA in writing, in which case the disbursement of funds shall continue in accordance with this Agreement.

11.3 The remedies described herein are non-exclusive. LACMTA shall have the right to enforce any and all rights and remedies herein or which may be now or hereafter available at law or in equity.

12. **SECTION 5333(b) REQUIREMENTS**

12.1 For purposes of satisfying the requirements of Section 5333(b) of Title 49 of the U.S. Code (commonly known as Section 13c), the County shall, by signing this Agreement, certify its acceptance of the terms and conditions of any and all Capital Assistance Protective Arrangements, and any other Section 5333(b) protections certified by the Department of Labor as applicable to any Federal funding received by the County.

12.2 The County shall indemnify, defend and hold harmless LACMTA and its employees, officers and agents for any claims properly brought by mass transportation employees in the County's service area pursuant to the Special Warranty, or any other Section 5333(b) agreement, that may be filed against LACMTA and that arises from any or all of the Funds awarded to the County for the Project.

13. **COMMUNICATIONS**

13.1 The County shall ensure that all Communication Materials contain recognition of LACMTA's contribution to the Project. The County shall ensure that at a minimum, all Communications Materials shall include (i) the phrase "This project was

partially funded by Metro” or alternative acceptable minimum language; and (ii) the Metro logo, with the exception of press releases, which do not require a Metro logo.

13.2 If the County produces any Communication Materials that do not contain the information set forth in Section 13.1 above, the County must provide an opportunity for prior review and written comment by the Chief Communications Officer of LACMTA or its designee before such materials can be produced. If the County does not receive a response from LACMTA Communications within seven (7) working days from the day of receipt by LACMTA Communications staff, the County may proceed with producing the Communications Materials as proposed.

13.3 For purposes of this Agreement, “Communications Materials” include, but are not limited to, literature, newsletters, publications, websites, advertisements, brochures, maps, information materials, video, radio and public service announcements, press releases, press event advisories, and all other related materials.

13.4 For signage on Project structures, facilities, vehicles and construction sites, the County shall use the phrase, “Funded in part by [Metro logo]” or “Your tax dollars at work [Metro logo]” or alternative acceptable language. Further guidance on acknowledging LACMTA contribution is provided in the Communications Materials guidelines available from the LACMTA Communications Division.

13.5 The County shall notify the LACMTA Chief Communications Officer or its designee of all press events related to the Project in such a manner that allows LACMTA to participate in such events, at LACMTA’s sole discretion.

13.6 The Metro logo is a trademarked item that shall be reproduced and displayed in accordance with specific graphic guidelines available from the LACMTA Communications Division.

13.7 The County shall ensure that any subcontractor, including, without limitation, public relations, public affairs, and/or marketing firms hired to produce Project Communications Materials will comply with the requirements contained in this Section 13.

14. **OTHER TERMS AND CONDITIONS**

14.1 This Agreement along with the applicable requirements of the FTA, DOL, MTA and the Federal Grant and the attachments and the Guidelines, constitutes the entire understanding between the parties, with respect to the subject matter herein. The Agreement shall not be amended, nor any provisions or breach hereof waived, except in writing signed by the parties who agreed to the original Agreement. Adoption or revisions or supplements to the Guidelines shall cause such revisions or supplements to become incorporated automatically into this Agreement as though fully set forth herein.

14.2 The County is obligated, to continue using the Project dedicated to the

public transportation purposes for which the Project was initially approved. The Project right-of-way, the Project facilities constructed or reconstructed on the Project site, and/or Project property purchased excluding construction easements and excess property (whose proportionate proceeds shall be distributed in an equal proportion of the grant to County Funding Commitment ratio) shall remain dedicated to public transportation use in the same proportion and scope and to the same extent as described in this Agreement. Equipment acquired as part of the Project, including office equipment, transit vehicles, shall be dedicated to that use for their full economic life cycle, including any extensions of that life cycle achieved by reconstruction, rehabilitation, or enhancements.

14.3 The County shall coordinate and work with LACMTA to evaluate the operations of the Project on a regular basis and determine if adjustments need to be taken to further minimize impacts to automobile travel while maintaining efficient and safe operations of buses. The County recognizes that under no circumstances, except for emergency or crisis response, will the bus lane be disabled during the peak hours (Monday-Friday, 7:00 AM to 9:00 AM and 4:00 PM to 7:00 PM) as part of the Project; provided, however, it is expressly understood that if from time to time the bus lane in whole or in part needs to be disabled for construction activities and for street maintenance activities, then the County shall give LACMTA a minimum 10-day advance notice.

14.4 Neither LACMTA nor any officer or employee thereof shall be responsible for any damage or liability occurring by reason of anything done or committed to be done by the County under or in connection with any work performed by, and/or service provided by, the County, its officers, agents, employees, contractors and subcontractors under this Agreement or the Guidelines. The County shall fully indemnify, defend and hold LACMTA, and its officers, agents and employees harmless from and against any liability and expenses, including without limitation, defense costs, any costs or liability on account of bodily injury, death or personal injury of any person or for damage to or loss of use of property, any environmental obligation, any legal fees and any claims for damages of any nature whatsoever arising out of the Project, including, without limitation: (i) use of the Funds by the County, or its officers, agents, employees, contractors or subcontractors; (ii) challenges, claims or litigation filed on behalf of any affected transportation provider and/or employees' union; (iii) breach of the County obligations under this Agreement; or (iv) any act or omission of the County, or its officers, agents, employees, contractors or subcontractors in the performance of the work or the provision of the services including, without limitation, the Scope of Work described in this Agreement.

14.5 Neither party hereto shall be considered in default in the performance of its obligations hereunder to the extent that the performance of any such obligation is prevented or delayed by unforeseen causes including acts of God, floods, earthquake, fire, acts of a public enemy, and government acts beyond the control and without fault or negligence of the affected party. Each party hereto shall give notice promptly to the other of the nature and extent of any such circumstances claimed to delay, hinder, or prevent performance of any obligations under this Agreement.

14.6 The County shall comply with and ensure that work performed under

this Agreement is done in compliance with Generally Accepted Accounting Principles (GAAP), all applicable provisions of federal, state and local laws, statutes, ordinances, rules, regulations and procedural requirements, including without limitation, Federal Acquisition Regulations (FAR) and the applicable requirements and regulations of LACMTA. The County acknowledges responsibility for obtaining copies of and complying with the terms of the most recent federal, state or local laws and regulations and LACMTA requirements, including any amendments thereto. LACMTA will notify the County of any changes in federal project requirements.

14.7 The County shall not assign this Agreement, or any part thereof, without written consent and prior approval of LACMTA Chief Executive Officer or his designee, and any assignment without said consent shall be void and unenforceable. Subject to all requirements of this Agreement, the Federal Grant and all other applicable requirements of LACMTA and FTA, including without limitation the requirement that design and construction services be competitively procured, the County may contract with other entities, including its affiliates in a project management role, to implement this Agreement.

14.8 This Agreement shall be governed by California law and applicable federal law. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any way.

14.9 The terms of this Agreement shall inure to the benefit of, and shall be binding upon, each of the parties and their respective successors and assigns.

14.10 The County in the performance of the work required by this Agreement is not a contractor nor an agent or employee of LACMTA and attests to no organizational or personal conflicts of interest and agrees to notify LACMTA immediately in the event that a conflict, or the appearance thereof, arises. The County shall not represent itself as an agent or employee of LACMTA and shall have no powers to bind LACMTA in contract or otherwise.

14.11 The County agrees to comply with United States (U.S.) Department of Transportation (DOT) regulations, "Uniform Administrative Requirements for Grants and Cooperative Agreements to public agencies," 49 C.F.R. Part 18.

14.12 The County agrees that federal laws and regulations control Project award and implementation. The County also agrees that federal directives as defined in the FTA Master Agreement set forth federal terms applicable to the Project, except to the extent that FTA determines otherwise in writing. The County understands and agrees that unless FTA has offered express written approval of alternative procedure or course of action differing from a procedure or course of action set forth in the applicable federal directive, the County may incur a violation of the terms of its Agreement if it implements an alternative procedure or course of action not approved by FTA. LACMTA will notify the County of any changes in federal project requirements.

14.13 The County understands and agrees that Federal laws, regulations, and directives applicable to the Project and to the Applicant on the date on which the FTA Authorized Official awards Federal assistance for the Project may be modified from time to time. In particular, new Federal laws, regulations and directives may become effective after the date on which the County executes the Agreement for the Project, and might apply to that Agreement. The County agrees that the most recent of such Federal laws, regulations and directives will govern the administration of the Project at any particular time, except to the extent FTA determines otherwise in writing.

14.14 The County understands and agrees that it will make reference to the Catalog of Federal Domestic Assistance (CFDA) number (20500) for the 5309 Program in all its correspondence and reports including quarterly progress and single audit reports and invoices.

14.15 Notice will be given to the parties at the address specified below unless otherwise notified in writing of any changes.

Notices to LACMTA shall be addressed to:

Michael Richmai, Project Manager
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
MS: 99-23-1
Los Angeles, CA 90012

Notices to the County shall be addressed to:

Susan Zarei, Civil Engineer
County of Los Angeles Department of Public Works
900 South Fremont Avenue
Alhambra, CA 91802

14.16 The County shall address all correspondence to the FTA regarding this Project through the LACMTA Project Manager.

14.17. If any software/Intelligent Transportation Systems (“ITS”) is developed with the Funds and if the County ceases to use the software/ITS for public purposes or the County sells, conveys, licenses or otherwise transfers the software/ITS, LACMTA shall be entitled to a refund or credit, at LACMTA’s sole option, equivalent to the amount of the Funds spent developing the software/ITS. Such refund or credit shall not be required, subject to LACMTA approval of the intended use, if the County reinvests the proceeds of such sale, conveyance, license or transfer into the Project to offset operating or systems management costs.

14.18 The County will advise LACMTA prior to any key Project staffing changes.

ATTACHMENTS:

- Attachment A: FTA Letter – Project Development Approval
- Attachment B: LACMTA Board Approval of the Wilshire BRT Project
- Attachment C: County Board of Supervisors Approval of Wilshire BRT Project
- Attachment D: Scope of Work
- Attachment E: Funding Plan
- Attachment F: Expenditure Plan
- Attachment G: Project Schedule
- Attachment H: Quarterly Progress/Expense Report
- Attachment I: Reporting & Expenditure Guidelines
- Attachment J: Project FTIP Sheet

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives as of the date written above.

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

By: _____ Date
ARTHUR T. LEAHY
Chief Executive Officer

APPROVED AS TO FORM:

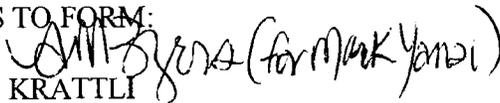
JOHN F. KRATTLI
Acting County Counsel

By:  5/30/12
Deputy

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

By: _____ Date
PATRICK V. DeCHELLIS
Deputy Director

APPROVED AS TO FORM:


JOHN F. KRATTLI
 County Counsel

Attachment A

FTA Letter – Project Development Approval

Attachment A



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION IX
Arizona, California,
Hawaii, Nevada, Guam
American Samoa,
Northern Mariana Islands

201 Mission Street
Suite 1650
San Francisco, CA 94105-1839
415-744-3133
415-744-2726 (fax)

DEC 13 2007

Mr. Roger P. Snoble
Chief Executive Officer
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012-2952

Re: **Project Development Approval – Wilshire Boulevard Bus-Only Lane Project**

Dear Mr. Snoble:

I am pleased to inform you that the Federal Transit Administration (FTA) has approved the Los Angeles County Metropolitan Transportation Authority's (LACMTA) request to initiate Project Development for the Wilshire Boulevard Bus-Only Lane Project. The proposed project is designed to improve travel times for Metro Rapid buses along the Wilshire corridor.

In accordance with the July 20, 2007 *Interim Guidance and Instructions for Small Starts*, this project meets all of the requirements for consideration by FTA as a "Very Small Start" and was evaluated as such. The Wilshire Bus-Only Lane Project has been rated *Medium* for cost effectiveness, transit supportive land use, and local financial commitment, and has therefore received an overall project rating of *Medium*. This rating, as well as FTA's determination of the project's readiness to proceed into project development, serves as the basis for FTA's approval.

With this approval, the LACMTA has pre-award authority to incur costs for Project Development activities prior to grant approval and to retain eligibility of those activities for future FTA grant assistance. This pre-award authority does not constitute a commitment that future Federal funds will be approved for Project Development or any other project cost. As with all pre-award authority, relevant Federal requirements must be met prior to incurring costs in order to preserve the eligibility of the costs for future FTA grant assistance. FTA's approval to initiate Project Development is not a commitment to fund further design activities or construction of any project that may result. Such a decision must await the outcome of FTA's satisfactory determination of the LACMTA's continued demonstration of the technical, legal, and financial capability to implement the project. For further information regarding Pre-Award Authority, please refer to Federal Register Notice dated March 23, 2007 Section V, FTA Policy & Procedure for FY2007 Grants.

FTA expects the LACMTA to continue progress on the following activities as part of the Project Development process:

- Develop the Project Management Plan (PMP), to be updated as appropriate, which outlines how this project will be managed, including:
 - At a summary level, the PMP for this project shall define the strategy to deliver the project within budget and on schedule;
 - Briefly describe the organizations, resources, schedule and project controls necessary to design, construct, test and start up a quality system that assures the safety and security of the riding public; and
 - Ensure that real estate acquisitions comply with the Uniform Relocation Assistance and Real Estate Acquisition Policies Act.
- Completing the engineering and other technical work necessary to:
 - Develop a firm definition of the scope of the project;
 - Complete a refined and detailed estimate of the capital and operating costs of the project scope;
 - Complete an analysis of any uncertainties that remain in the scope and/or cost estimate; and
 - Finalize any necessary environmental analysis.
- Revise the financial plan to reflect the estimates of engineering and construction costs and provide confirmation of all non-Federal funding commitments by the completion of Project Development;
- Conduct the value engineering process toward the end of Project Development;
- Address any major right-of-way needs and any major utility relocation issues through written agreements or other unambiguous means;
- Provide quarterly progress reports.

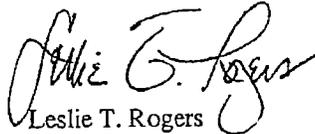
Finally, FTA is concerned about the capital cost estimate. FTA's *Updated Interim Guidance and Instructions for Small Starts* specifies that Very Small Starts projects may cost no more than \$3 million per mile, exclusive of rolling stock, in order to qualify for the streamlined project evaluation process. Therefore, LACMTA must ensure that the Wilshire Bus Only project cost remains within these parameters as it advances through project development. FTA will review the project capital cost estimate prior to execution of a PCGA to ensure its compliance with this requirement. If, at that time, the Wilshire Bus Only project no longer meets this requirement, it will not be considered a Very Small Start and will need to prepare and submit information to FTA to permit its evaluation as a Small Starts project.

FTA notes that LACMTA is requesting a 74 percent Very Small Starts share of total project costs. FTA encourages the overmatching of State and local funding for both New Starts and Small Starts as a means of maximizing the use of the limited discretionary resources available under these programs. Prior to executing a Project Construction Grant Agreement, FTA will work with LACMTA to explore opportunities for reducing the requested Small Starts amount.

FTA looks forward to working with you on the work scope for the Project Development effort, and providing you with any additional assistance that you or your staff may need. Please contact me if you have any questions or comments at (415) 744-3133, or Mr. Ray Tellis of our Los Angeles Metropolitan Office at (213) 202-3956.

I look forward to working with you on this important transit improvement.

Sincerely,

A handwritten signature in cursive script, appearing to read "Leslie T. Rogers".

Leslie T. Rogers
Regional Administrator

Attachment B

LACMTA Board Approval of Wilshire BRT Project

Attachment B



Metro

Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2352

213.922
metro.r

13

PLANNING AND PROGRAMMING COMMITTEE MAY 18, 2011

SUBJECT: WILSHIRE BUS RAPID TRANSIT PROJECT

**ACTION: APPROVE THE REVISED FINAL ENVIRONMENTAL IMPACT
REPORT/ENVIRONMENTAL ASSESSMENT**

RECOMMENDATION

- A. Certify the Revised Final Environmental Impact Report/Environmental Assessment (FEIR/EA) for the Wilshire BRT Project (Attachment A is the Executive Summary);
- B. Adopt:
 1. Alternative A-1, Truncated Project with Reduced Length Bus Lanes Between Comstock Avenue and Selby Avenue as the Locally Preferred Alternative (LPA);
 2. Mitigation Monitoring and Reporting Program and Findings of Fact and Statement of Overriding Consideration; and
- C. Authorize the Chief Executive Officer (CEO) to File a Notice of Determination.

ISSUE

At the December 9, 2010 meeting, the Board directed staff to: 1) conduct further environmental analysis of the Wilshire Bus Rapid Transit Project (Wilshire BRT) excluding the Selby Avenue to Comstock Avenue segment, and 2) conduct a separate technical analysis to assess travel time delay and traffic impacts in the mixed-flow lanes along the project corridor (Attachment B). The analysis as well as a Revised Final Environmental Impact Report/Environmental Assessment (FEIR/EA) for the Wilshire BRT Project is now complete. The Board needs to certify the Revised FEIR/EA and adopt the project, Mitigation Monitoring and Reporting Program (Attachment C) and Findings of Fact and Statement of Overriding Consideration (Attachment D).

DISCUSSION

Wilshire Boulevard is the most heavily used transit corridor in Los Angeles County with over 80,000 weekday bus boardings. Implementation of the Wilshire BRT Project is intended to improve bus passenger travel times, service reliability, ridership, and

encourage a shift from automobile use to public transit.

The Wilshire BRT Project is a 12.5-mile project from just west of downtown Los Angeles to the Santa Monica city line, which seeks to construct curbside peak-period bus lanes in the City of Los Angeles (9.1 miles) and Los Angeles County (0.8 miles). Proposed improvements along this 9.9 miles of Wilshire Boulevard include restriping of traffic lanes; conversion of existing curb lanes to bus lanes in each direction during peak periods; upgrade of the existing transit signal priority system; reconstruction/resurfacing of curb lanes in select areas; selective street widening; and installation of traffic/transit signage and pavement markings.

The removal of the one-mile segment of bus lanes between Comstock and Selby Avenues is considered a refinement to Alternative A and is referred to in the revised FEIR/EA as Alternative A-1, Truncated Project with Reduced Length Bus Lanes Between Comstock Avenue and Selby Avenue (see Attachment A for project alternative maps). Alternative A-1 would implement the same components as Alternative A, with the exception of no bus lanes between Comstock and Selby Avenues and no curb lane reconstruction and resurfacing between the City of Beverly Hills and Westholme Avenue.

In February 2011, the Los Angeles City Council requested staff to study an additional alternative that would further reduce the length of the bus lanes to 5.4 miles by implementing them just east of the City of Beverly Hills between South Park View Street and San Vicente Boulevard. This request was made in consideration of comments the City received from Brentwood residents. This alternative (Alternative A-2, Truncated Project with Bus Lanes from South Park View Street to San Vicente Boulevard) is also considered a refinement to Alternative A and has been environmentally cleared in the revised FEIR/EA as well. Although Alternative A-2 would meet the project goals and objectives, the project benefits would not be as great as those in the recommended project. Therefore, staff is recommending the adoption of Alternative A-1, Truncated Project with Reduced Length Bus Lanes Between Comstock Avenue and Selby Avenue as the preferred alternative. Alternative A-1 will have significant impacts that are similar to or less than Alternative A.

Wilshire Boulevard Travel Time Delay Analysis

In response to the second part of the December 2010 Board directive, the Los Angeles Department of Transportation (LADOT) conducted a technical analysis to assess travel time delay in the mixed-flow travel lanes on Wilshire Boulevard with the implementation of the bus lanes. The analysis looked at the change in "current travel times" under two scenarios. An "opening day" scenario, which assumed no reduction in traffic on Wilshire due to transit mode shift or traffic diversion, and a post implementation scenario, which assumed a 10% reduction in traffic due to transit mode shift and traffic diversion (Attachment B).

Under the opening day scenario, average mixed-flow travel times during peak periods would increase from 42.80 minutes to 53.49 minutes, a total increase of 10.69 minutes or 1.23 minutes per mile. Under the post implementation scenario, average mixed-flow travel times during peak periods would increase from 42.80 minutes to 48.91 minutes, a total increase of 6.11 minutes or 0.70 minutes per mile. After project implementation, drivers are expected to adjust their travel routes, times, and mode, to compensate for changes in traffic patterns.

The Wilshire BRT Project is intended to improve passenger travel times, service reliability, and ridership of the existing bus service along Wilshire Boulevard. Once implemented, passenger travel times are expected to improve by an average of 24 percent. An average one-way travel time savings of 6 to 15 minutes is expected depending on the alternative. Based on the travel time improvements and associated ridership increases experienced with the Metro Rapid Program to-date, transit ridership along the Wilshire corridor is anticipated to grow between 15 and 20 percent as a result of the proposed project.

FINANCIAL IMPACT

The proposed FY 2012 budget contains \$15 million for this project in Cost Center 0441 (Non-Departmental), Project 405528 in Account 54002 (Subsidies-Others). Since this is a multi-year project, it will be the responsibility of the cost center manager and the Executive Director, Countywide Planning for budgeting expenses in future years.

Impact to Budget

This project is being funded by \$23.3 million in FTA Very Small Starts Section 5309, \$4.9 million in Proposition C 25%, and \$3.3 million in City of Los Angeles local funds for a total project cost of \$31.5 million. These funds are not eligible for bus and/or rail operating and capital.

ALTERNATIVES CONSIDERED

The Board could choose not to approve the Wilshire BRT Project. This option is not recommended because it would yield no benefits to transit such as improved bus passenger travel times, improved service reliability, and increased ridership. Nor would it encourage a shift from automobile use to public transit. MTA would also lose the funds identified in the FY 09 and FY 10 Federal Very Small Starts Program.

The Board could choose to adopt Alternative A-2, Truncated Project with Bus Lanes from South Park View Street to San Vicente Boulevard. This alternative would meet the project goals and objectives, however, the project benefits would not be as great as those with Alternative A-1. The Board could also choose to adopt the Proposed Project or Alternative A, which were presented to the Board in December 2010 and are also cleared in the Revised FEIR/EA.

NEXT STEPS

Upon Board approval, the Wilshire BRT Project will be presented to the Los Angeles City Council and the Los Angeles County Board of Supervisors for final project approval and concurrence with the Findings of Fact and Statement of Overriding Considerations. Under the National Environmental Policy Act (NEPA), issuance of a Finding of No Significant Impact (FONSI) by the Federal Transit Administration (FTA) is the final step to complete the environmental review and allow funding to be granted for project implementation. Upon issuance of the FONSI and all approvals by the Board and the responsible agencies, staff will proceed with preparation of contract documents with the City and County of Los Angeles for final design and construction of the Wilshire BRT Project components and file the Notice of Determination.

ATTACHMENTS

- A. Wilshire BRT Executive Summary
- B. Wilshire Boulevard Automobile Travel Time Delay Analysis
- C. Mitigation Monitoring and Reporting Program
- D. Findings of Fact and Statement of Overriding Considerations

Prepared by: Brad McAllester, Executive Officer, Long Range Planning
Martha Butler, Transportation Planning Manager
Michael Richmai, Transportation Planning Manager



Martha Welborne, FAIA
Executive Director
Countywide Planning



Arthur T. Leahy
Chief Executive Officer

Executive Summary

ES.1 Introduction and Background

The Los Angeles County Metropolitan Transportation Authority (LACMTA) completed the Final Environmental Impact Report/Environmental Assessment (Final EIR/EA) for the Wilshire Bus Rapid Transit (BRT) Project in November 2010. This Final EIR/EA incorporated the Draft EIR/EA by reference. LACMTA is the lead agency in the preparation of the EIR in accordance with the California Environmental Quality Act (CEQA). The EIR's purpose is to evaluate the social, economic, and environmental issues associated with the proposed improvements included in the Wilshire BRT Project within the Wilshire Boulevard corridor. In accordance with the National Environmental Policy Act (NEPA), an EA has been prepared as a joint document with the EIR. The Federal Transit Administration (FTA) is the lead agency for the EA. The Wilshire BRT Project is funded largely through the FTA Very Small Starts Program with local contributions from LACMTA and the City of Los Angeles.

Subsequent to the release of the Final EIR/EA, the LACMTA Board of Directors, in its December 2010 meeting, directed staff to study an additional alternative that would reduce the length of the bus lanes by one mile between Comstock Avenue and Selby Avenue. This alternative is considered a refinement to Alternative A and, as such, is referred to in this document as Alternative A-1. In addition, on February 2, 2011, the Los Angeles City Council requested that staff also include a second additional alternative that would further reduce the length of the bus lanes west of the City of Beverly Hills so that the bus lanes would only extend from South Park View Street to San Vicente Boulevard. This second additional alternative is a further refinement to Alternative A and is referred to in this document as Alternative A-2. It should be noted that LACMTA staff have identified Alternative A-1 as the preferred alternative and are recommending adoption of this alternative to the LACMTA Board.

This Revised Final EIR/EA focuses on the addition of these refinements to Alternative A and changes to the previous responses to comments as a result of these additions. These revisions have been shown in track changes (i.e., all additions are presented as underlined text (in red), and all deletions are presented as ~~strikethrough text (in red)~~) in Chapters 3.0, 5.0, 6.0, and 7.0 to allow the readers to compare updated information presented in the Draft EIR/EA and the previous Final EIR/EA since their publication in June 2010 and November 2010, respectively. This Revised Final EIR/EA also provides some further clarification and/or simplification of the project components within each project alternative.

ES.2 Project Goals and Objectives/Purpose and Need

The Wilshire BRT Project is intended to further improve bus passenger travel times, service reliability, ridership of the existing Wilshire BRT system, and encourage a shift from automobile use to public transit. When implemented, bus passenger travel times are expected to improve by an average of 24%. Up to a 10% mode shift from mixed flow to bus use is projected. Based on the bus travel time improvements and associated ridership increases experienced with the Metro Rapid Program to-date, transit ridership along the Wilshire corridor is anticipated to increase between 15% and 20%.

The goals and objectives for the project have been developed from the transportation and land use goals and objectives of local and regional agencies, including the City of Los Angeles, Los Angeles County, and the Southern California Association of Governments (SCAG), who serves as the regional Metropolitan Planning Organization (MPO), and are consistent with the other transit improvements currently planned in Los Angeles County. The following is a list of general project goals and objectives that have been developed for the proposed project:

- Improve bus passenger travel times by allowing buses to travel in dedicated peak-period bus lanes for the majority of the alignment between Valencia Street to the east and Centinela Avenue to the west;
- Improve bus service reliability by separating buses from the already high levels of corridor traffic congestion;
- Improve traffic flow along Wilshire Boulevard;
- Repave the curb lanes along damaged portions of Wilshire Boulevard to allow their effective use by buses during peak periods and by both buses and automobiles during non-peak periods;
- Encourage shift from automobile use to public transit by continuing to attract new transit riders;
- Improve air quality in Los Angeles County with the reduction in mobile source emissions resulting from a mode shift from automobile use to bus use; and
- Minimize impacts to existing on-street parking.

Another benefit of the Wilshire BRT Project is the increased person-throughput with bus lanes compared to mixed-flow curb lanes. Currently, the curb lanes can carry a maximum of 800 cars per lane per hour. With the correct average occupancy of 1.32 persons per car, the existing total person throughput with cars is 1,056 persons per lane per hour. When converted to bus lanes, the curb lanes would carry approximately 30 buses per lane per hour. The average passenger load is approximately 50 persons per bus during peak hours for the popular Metro Rapid Lines 720, 920 and Local Line 20 on Wilshire Boulevard. This would yield 1,500 persons per lane per hour for buses in each curbside bus lane. The person throughput with bus lanes (1,500) is, therefore, superior to that of mixed-flow lanes (1,056) during peak

hours. This does not incorporate expected increases in bus ridership on Wilshire Boulevard after the bus lanes are implemented, which would further improve the bus lanes' person throughput. Person throughput could potentially increase anywhere from 1,725 to 1,800 persons per lane per hour for buses in each curbside bus lane.

ES.3 Project Description

The proposed project runs through the densely populated mid-western portion of the City of Los Angeles, from the western edge of downtown at Valencia Street to the east, and to the eastern boundary of the City of Santa Monica at Centinela Avenue to the west. The proposed project spans approximately 12.5 miles along Wilshire Boulevard from Valencia Street on the east to Centinela Avenue on the west. Of the 12.5 miles, improvements would occur on 9.9 miles of Wilshire Boulevard, and the buses would operate in mixed-flow traffic between San Vicente Boulevard and the western boundary of the City of Beverly Hills (2.6 miles).

The Metro Rapid service on Wilshire Boulevard currently operates approximately every two minutes during the peak periods and approximately every 7 minutes during off peaks. Service spans from about 4:00 a.m. to approximately midnight using specially branded 60-foot, low-floor, articulated buses. In addition, bus priority is provided at every signalized intersection along the project corridor as well as branded stations at every stop. These existing attributes of Metro Rapid on Wilshire Boulevard would be maintained. Not only would Metro Rapid further benefit from the implementation of bus lanes along the Wilshire corridor but local service would benefit as well.

Metro Rapid peak period average travel times between Wilshire Boulevard/Valencia Street and Wilshire Boulevard/Centinela Avenue are approximately 51 to 57 minutes in the a.m. and approximately 54 to 71 minutes in the p.m. A reduction of 12 to 17 minutes per trip is anticipated with the implementation of bus lanes. The implementation of bus lanes would also benefit and improve the local service on Wilshire Boulevard as well, which operates approximately 29% slower (on average) than the Metro Rapid service during peak hours.

A variety of activities are proposed along the entire length of the project corridor within the City of Los Angeles boundaries (approximately 9.1 miles). Most of the existing curb lanes on Wilshire Boulevard in the City of Los Angeles would be "converted" to a bus and right-turn only operation in the peak periods (7 a.m. to 9 a.m. and 4 p.m. to 7 p.m.) on weekdays. In these segments, the curb lanes would be repaired or reconstructed, where necessary, and restriped and signed as peak period bus lanes. In other areas, curbside bus lanes would be added as new lanes to Wilshire Boulevard by widening or with the removal of jut-outs. Upgrades to the transit priority system (TPS) would also be implemented, including (1) addition of bus signal priority at intersections with near-side bus stops, (2) increase in maximum available time for transit signal priority from 10 percent to 15 percent of the traffic signal cycle at minor intersections, and (3) reduction in the number of

traffic signal recovery cycles from two to one at key intersections along the corridor.

A portion of the project corridor is under County jurisdiction, between Veteran Avenue and Federal Avenue (approximately 0.8 mile) near the Veterans Administration facilities. In this area, the project proposes to widen Wilshire Boulevard between Bonsall Avenue and Federal Avenue, modify adjacent sidewalks to a uniform width, traffic lane restriping, adjustments to geometrics and traffic signals, signage and markings, and a 470-foot extension of an eastbound left-turn pocket at Sepulveda Boulevard.

The following improvements are proposed on different segments of Wilshire Boulevard between Valencia Street to the east and Centinela Avenue to the west:

- 9.7 miles of bus lanes from Valencia Street to San Vicente Boulevard (6.1 miles), the western border of the City of Beverly Hills to Sepulveda Boulevard (2.3 miles), and Bonsall Avenue to Centinela Avenue (1.3 miles);
- 3.0 miles of curb lane reconstruction/resurfacing between Western Avenue and Fairfax Avenue;
- Removal of jut-outs and realignment of curbs for bus lanes between Comstock Avenue and Malcolm Avenue (1.0 mile);
- Lengthen the eastbound left-turn pocket at Sepulveda Boulevard by approximately 470 feet;
- Widen Wilshire Boulevard between Bonsall Avenue and Barrington Avenue to accommodate bus lanes (0.7 mile); and
- TPS enhancements, signage, and restriping for bus lanes, as necessary, along the project corridor.

ES.4 Alternatives to the Proposed Project

No Project Alternative

This alternative is required by Section 15126.6(e) of the CEQA Guidelines and by Section 1502.14 of the Council of Environmental Quality (CEQ) Regulations for Implementing NEPA and assumes that the proposed project would not occur. Under the No Project Alternative, proposed improvements to 9.9 miles of the Wilshire corridor included under the proposed project would not be implemented. Specifically, the proposed restriping and widening of some existing portions of the Wilshire corridor would not occur. The No Project Alternative would not include the conversion of existing curb lanes to bus lanes in each direction during peak periods; upgrade of the existing transit signal priority system; selective street widening; reconstruction/resurfacing of curb lanes in select areas; and, installation of traffic/transit signage and pavement markings, as necessary, to implement dedicated peak period bus lanes. Existing conditions of the Wilshire corridor would remain under this alternative. Consequently, the No Project

Alternative would not achieve or fulfill any of the goals and objectives of the proposed project.

Alternative A: Truncated Project Without Jut-Out Removal

Alternative A – Truncated Project Without Jut-Out Removal would include the development of 8.7 miles of bus lanes from the Wilshire Boulevard/South Park View Street intersection to the Wilshire Boulevard/Centinela Avenue intersection. This alternative would reduce the length of the bus lanes to 8.7 miles from the 9.7 miles under the proposed project. Additionally, unlike the proposed project, this alternative would retain the existing jut-outs between Comstock Avenue and Malcolm Avenue (1.0 mile). The existing traffic lane would be converted to a bus lane in each direction between Comstock Avenue and Malcolm Avenue. Under Alternative A, compared to the proposed project, an additional 1.8 miles of curb lane reconstruction/ resurfacing would occur between Fairfax Avenue and San Vicente Boulevard (0.6 miles) and between the western border of the City of Beverly Hills and Westholme Avenue (1.2 miles). In areas along Wilshire Boulevard where no bus lanes are implemented, the buses would operate with mixed-flow traffic.

A reduction of approximately 10 to 15 minutes in passenger travel time per bus trip is anticipated with the implementation of Alternative A. The implementation of Alternative A would also greatly benefit and improve the local service on Wilshire Boulevard as well, which operates approximately 29% slower (on average) than the Metro Rapid service during peak hours. Schedule reliability would also be significantly improved with the implementation of Alternative A.

The key features of this alternative are summarized from east to west (and implemented in both the eastbound and westbound directions), as follows:

- 8.7 miles of bus lanes from South Park View Street to San Vicente Boulevard (5.4 miles), the western border of the City of Beverly Hills to mid-block Gayley/Veteran Avenue (2.0 miles), and Bonsall Avenue to Centinela Avenue (1.3 miles);
- 4.8 miles of curb lane reconstruction/resurfacing between Western Avenue and San Vicente Boulevard (3.6 miles) and between the western border of the City of Beverly Hills and Westholme Avenue (1.2 miles);
- Retention of the jut-outs between Comstock Avenue and Malcolm Avenue (1.0 mile);
- Lengthen the eastbound left-turn pocket at Sepulveda Boulevard by approximately 470 feet;
- Widen Wilshire Boulevard between Bonsall Avenue and Barrington Avenue to accommodate bus lanes (0.7 mile); and
- TPS enhancements, signage, and restriping for bus lanes, as necessary, along the project corridor.

In consideration of comments received during the public review of the Draft EIR/EA, LACMTA staff recommended adoption of this alternative to the

LACMTA Board. However, at the LACMTA Board Meeting on December 9, 2010, the Board directed staff to study a new alternative that would reduce the length of the bus lanes by one mile between Comstock Avenue and Selby Avenue within the Westwood Community Plan Area. In addition, on February 2, 2011, the Los Angeles City Council directed staff to study a second additional alternative that would further reduce the length of the bus lanes west of the City of Beverly Hills so that the bus lanes would only extend from South Park View Street to San Vicente Boulevard. These alternatives are considered refinements to Alternative A and are discussed below as Alternatives A-1 and A-2.

Alternative A-1: Truncated Project with Reduced Length Bus Lanes Between Comstock Avenue and Selby Avenue

Alternative A-1 – Truncated Project with Reduced Length Bus Lanes Between Comstock Avenue and Selby Avenue includes the same improvements as Alternative A; however, Alternative A-1 proposes 7.7 miles of bus lanes as compared to 8.7 miles under Alternative A. Alternative A-1 reduces the length of the bus lanes by one mile between Comstock Avenue and Selby Avenue. Similar to Alternative A, an additional 0.6 mile of curb lane reconstruction/resurfacing would occur between Fairfax Avenue and San Vicente Boulevard. Unlike Alternative A, Alternative A-1 would not reconstruct the curb lanes and resurface the roadway between the western border of the City of Beverly Hills and Westholme Avenue (1.2 miles). In addition to the TPS enhancements under the proposed project and Alternative A, this alternative would also include a TPS communication system upgrade that would help synchronize the traffic signal progression along Wilshire Boulevard, thus reducing potential delay and congestion on the corridor. In areas along Wilshire Boulevard where no bus lanes are implemented, the buses would operate with mixed-flow traffic.

A reduction of approximately 9 to 14 minutes in passenger travel time per trip is anticipated with the implementation of Alternative A-1. The implementation of Alternative A-1 would also greatly benefit and improve the local service on Wilshire Boulevard, which operates approximately 29% slower (on average) than the Metro Rapid service during peak hours. Schedule reliability would also be significantly improved with the implementation of Alternative A-1. The key elements of this refined alternative are summarized from east to west, as follows:

- 7.7 miles of bus lanes from South Park View Street to San Vicente Boulevard (5.4 miles), the western border of the City of Beverly Hills to Comstock Avenue (0.5 mile), Selby Avenue to mid-block Gayley/Veteran Avenue (0.5 mile), and Bonsall Avenue to Centinela Avenue (1.3 miles);
- 3.6 miles of curb lane reconstruction/resurfacing between Western Avenue and San Vicente Boulevard;
- Retention of the jut-outs between Comstock Avenue and Malcolm Avenue (1.0 mile);

- Lengthen the eastbound left-turn pocket at Sepulveda Boulevard by approximately 470 feet;
- Widen Wilshire Boulevard between Bonsall Avenue and Barrington Avenue to accommodate bus lanes (0.7 mile); and
- TPS communication system upgrade, TPS enhancements, signage, and restriping for bus lanes, as necessary, along the project corridor.

As discussed above, LACMTA staff have identified this alternative as the preferred alternative and are recommending adoption of Alternative A-1 to the LACMTA Board.

Alternative A-2: Truncated Project with Bus Lanes from South Park View Street to San Vicente Boulevard

Alternative A-2 – Truncated Project with Bus Lanes from South Park View Street to San Vicente Boulevard includes the development of 5.4 miles of bus lanes on Wilshire Boulevard east of the City of Beverly Hills, as compared to the 9.7 miles developed under the proposed project or 8.7 miles with Alternative A. Alternative A-2 further reduces the length of the bus lanes west of the City of Beverly Hills so that the bus lanes would only extend from South Park View Street to San Vicente Boulevard. Additionally, this alternative would retain the existing jut-outs between Comstock Avenue and Avenue (1.0 mile). Similar to the proposed project, 3.6 miles of curb lane reconstruction/resurfacing would occur between Western Avenue and San Vicente Boulevard. Alternative A-2 would also include a design option for up to 1.4 miles of additional curb lane reconstruction/resurfacing from Hoover Avenue to Western Avenue, subject to the availability of funding. In addition to the TPS enhancements under the proposed project and Alternative A, another design option would include a TPS communication system upgrade that would help synchronize the traffic signal progression along Wilshire Boulevard, thus reducing potential delay and congestion on the corridor. In areas along Wilshire Boulevard where no bus lanes are implemented, the buses would operate with mixed-flow traffic.

A reduction of approximately 6 to 10 minutes in passenger travel time per trip is anticipated with the implementation of Alternative A-2. The implementation of Alternative A-2 would also greatly benefit and improve the local service on Wilshire Boulevard, which operates approximately 29% slower (on average) than the Metro Rapid service during peak hours. Schedule reliability would also be significantly improved with the implementation of Alternative A-2, particularly east of the City of Beverly Hills. The key elements of this refined alternative are summarized from east to west, as follows:

- 5.4 miles of bus lanes from South Park View Street to San Vicente Boulevard;
- 3.6 miles of curb lane reconstruction/resurfacing between Western Avenue and San Vicente Boulevard;

- Retention of the jut-outs between Comstock Avenue and Malcolm Avenue (1.0 mile);
- TPS enhancements, signage, and restriping for bus lanes, as necessary, along the project corridor; and
- Inclusion of several design options that include (1) 1.4 miles of curb lane reconstruction/resurfacing between Hoover Street and Western Avenue; and (2) a TPS communication system upgrade.

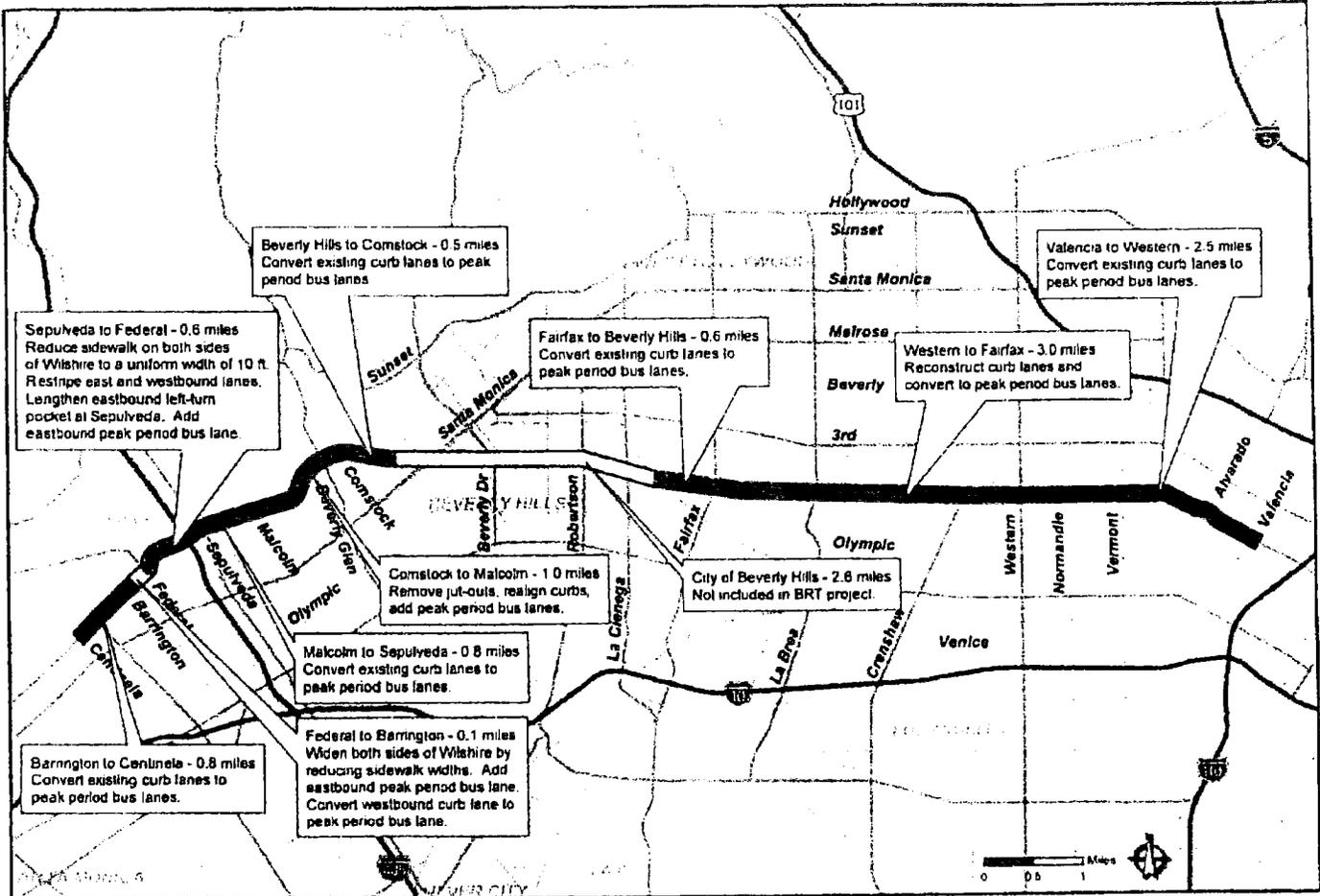
Alternative B: Truncated Project

Alternative B – Truncated Project includes the development of 8.7 miles of bus lanes within the 12.5-mile project corridor, compared to the 9.7 miles of bus lanes under the proposed project. This alternative would reduce the length of the bus lanes by 1.0 mile by not implementing the bus lanes from Valencia Street to South Park View Street (0.7 mile) and from mid-block Gayley Avenue/Veteran Avenue to Sepulveda Boulevard (0.3 mile). Similar to the proposed project, this alternative would remove the jut-outs between Comstock Avenue and Malcolm Avenue.

Although this project would meet the project's objectives, this alternative is not being evaluated further because it would neither avoid nor substantially lessen any of the significant and unavoidable effects identified for the proposed project. In addition, there is strong community opposition to the removal of the jut-outs between Comstock Avenue and Malcolm Avenue and the associated impacts to access to residential buildings along Wilshire Boulevard, on-street parking, and street trees. As such, this project alternative was considered infeasible and eliminated from further analysis in this EIR/EA.

Alternative C: Mini-Bus Lanes

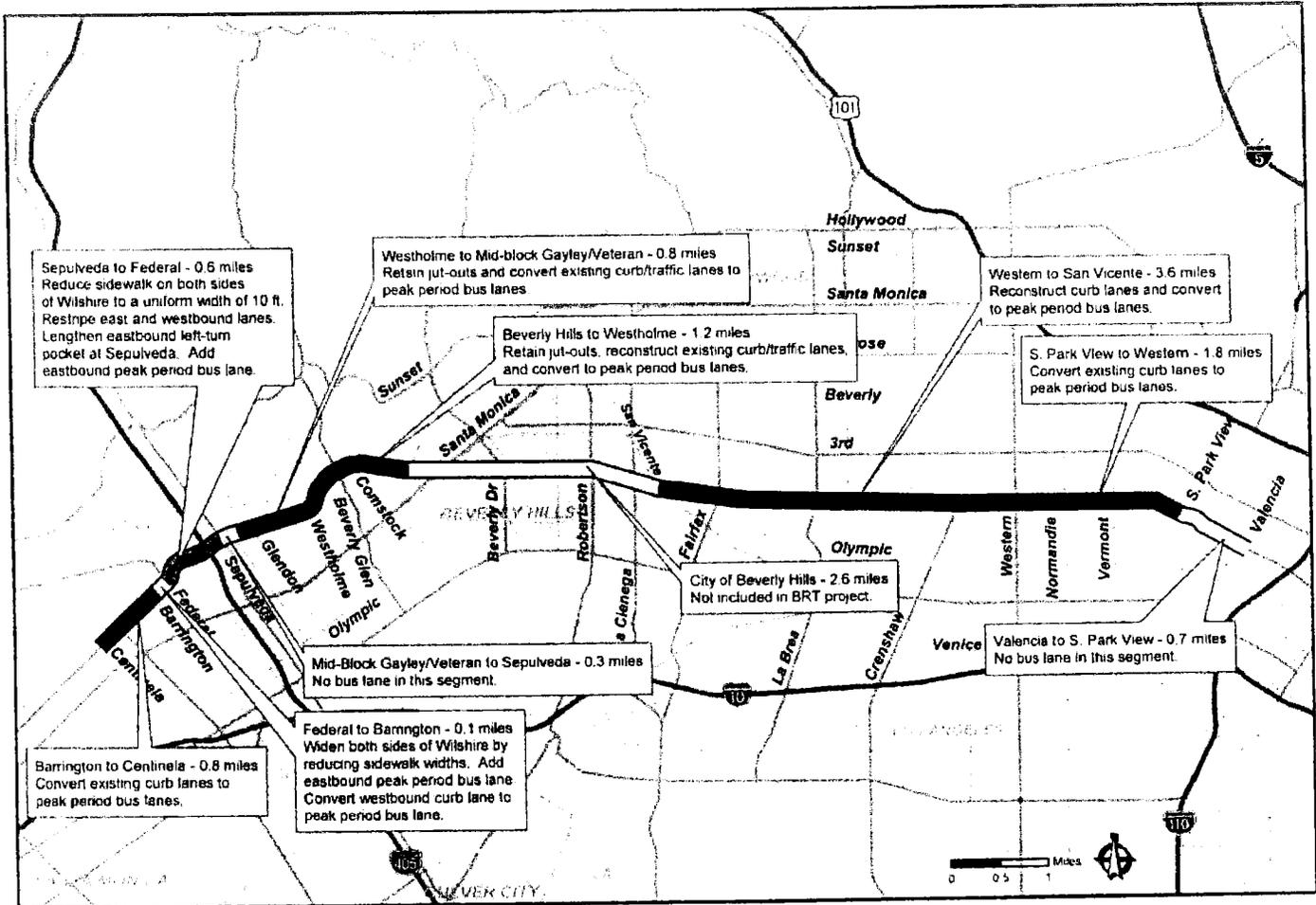
The Mini-Bus Lanes Alternative would include a 2.5-mile bus lane compared to the 9.7 miles that would be included under the proposed project. This alternative would include bus lanes in selected segments plus street improvements and engineering enhancements. This alternative is not being evaluated further because, while it would improve bus travel time through several congested locations, it would not substantially improve schedule reliability and reduce bus "bunching" due to congested conditions elsewhere in the corridor. One of the goals of the project is to increase transit ridership by providing more reliable bus service, and this alternative would not meet that goal. This alternative would also be very difficult to enforce because of the intermittent nature of the bus lanes, as well as their short length, and would require an intensive enforcement approach. Additionally, this alternative would require physical widening of Wilshire Boulevard within the Wilshire Community Plan Area, which the Community Plan prohibits. As such, this project alternative was considered infeasible and eliminated from further analysis in this EIR/EA.



Wilshire Bus Rapid Transit Project

Proposed Project

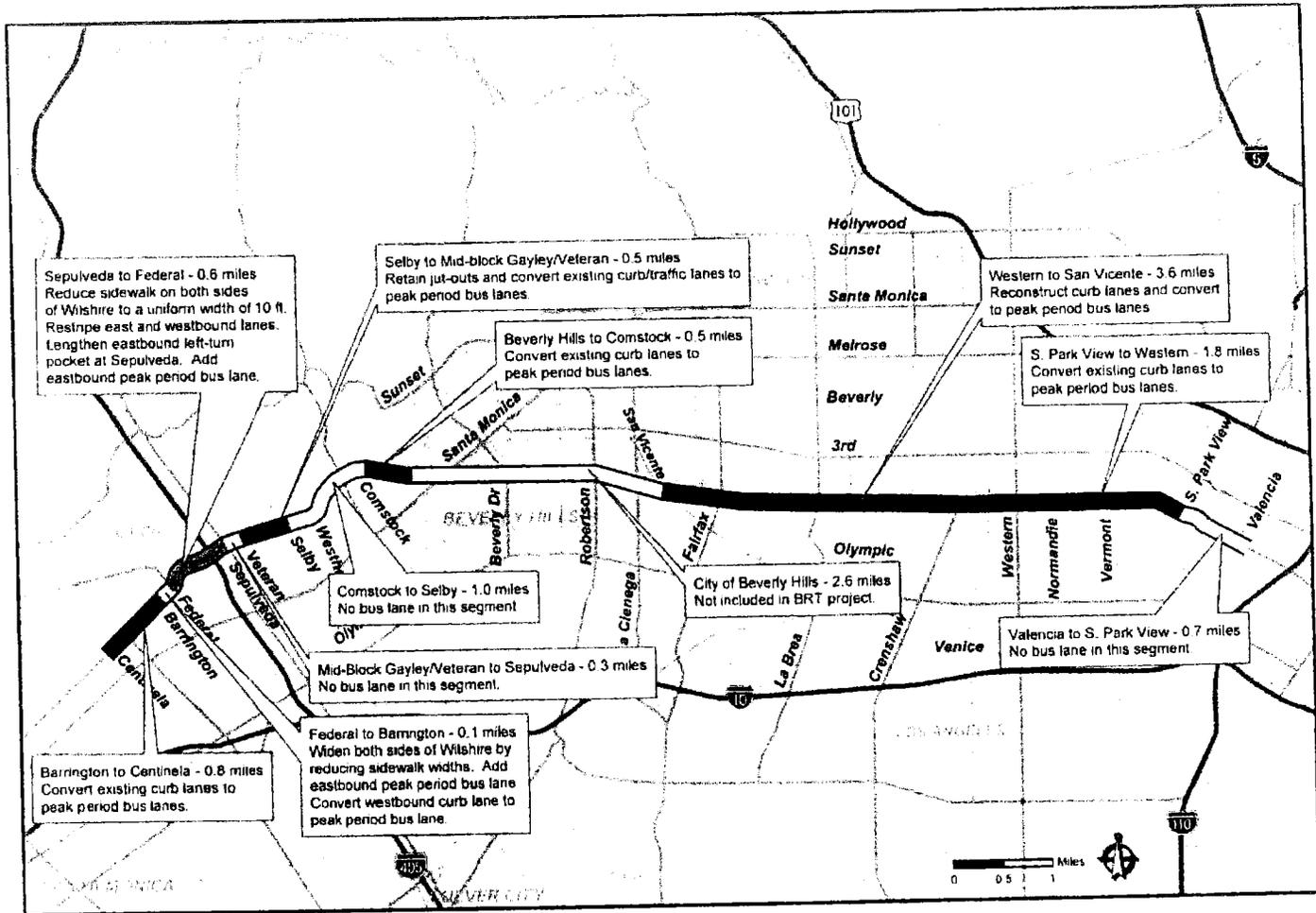




Wilshire Bus Rapid Transit Project

Project Alternative A

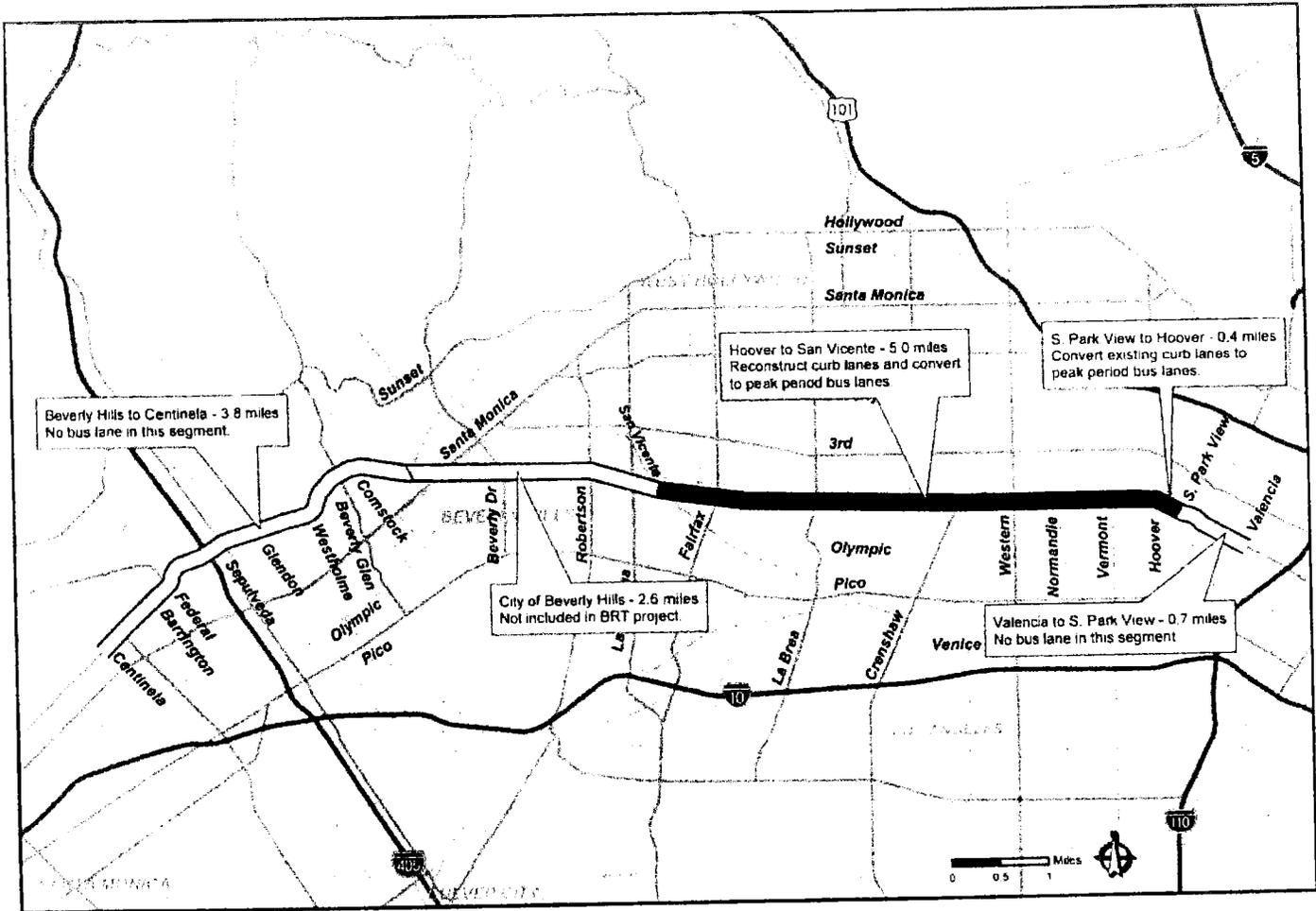




Wilshire Bus Rapid Transit Project

Project Alternative A-1





Wilshire Bus Rapid Transit Project

Project Alternative A-2



ATTACHMENT B

Los Angeles Department of Transportation (LADOT) Mixed-Flow Travel Time Analysis

In January 2011, LADOT conducted a Mixed-Flow Travel Time Analysis by operating floating car runs along Wilshire Boulevard to establish existing mixed-flow travel times during peak periods and then adjusted these travel times to reflect the reduced mixed-flow capacity anticipated with the implementation of bus lanes.

The project area was first divided into three segments and assumed the inclusion of bus lanes along each as proposed in the original Proposed Project:

- Mid-City – South Parkview St. to San Vicente Bl. (segment east of Beverly Hills)
- Westwood – Comstock Ave. (near western border of Beverly Hills) to I-405 Fwy.
- Brentwood – I-405 Freeway to Centinela Ave. (City of Santa Monica city line)

LADOT engineers operated floating car runs along each of these three segments on January 19, 20, and 25, 2011 (Tuesday, Wednesday and Thursday) between the hours of 7:00–9:00 AM and 4:00-7:00 PM, when the bus lanes would operate. This involved driving with the flow of traffic and recording the time it took to traverse the length of each segment. At least three runs were made in each segment for both AM and PM peak periods. Run time averages were taken for each of the three segments for each peak period. These run time averages are shown as “Current Travel Times” on each of the following Mixed-Flow Travel Time tables.

To calculate the change in mixed-flow travel times with the implementation of bus lanes, the “Current Travel Times” were reduced by two different factors to reflect two potential scenarios. In the first scenario, “Current Travel Times” were reduced by 26.16%, the average difference in delay at all intersections along Wilshire Boulevard based on the reduction in mixed flow traffic capacity when the bus lanes are in operation. This was conducted by LADOT to show “opening day” conditions, or worst case scenario, and assumed no reduction in traffic on Wilshire Boulevard due to transit mode shift or traffic diversion. Prior to the actual implementation of the bus lanes, Metro and LADOT will conduct an extensive public awareness campaign to ensure that drivers are given ample notice about the project and are given the opportunity to adjust their travel patterns accordingly. LADOT and Metro staff will also implement a six-month project monitoring program upon opening in order to make any needed adjustments and fine tuning. The public outreach and monitoring will be important to implementation success.

In the second scenario, the “Current Travel Times” were reduced by 15.39%, the average difference in delay at all intersections along Wilshire Boulevard based on the

reduction in mixed flow traffic capacity and assuming a 10% reduction in traffic on Wilshire Boulevard due to transit mode shift and traffic diversion. After project implementation, drivers are expected to continue adjusting their travel routes, times, and modes in response to increased traffic congestion, just as they do in response to any long-term reduction in roadway capacity. Based on the history and record of the existing Metro Rapid service on Wilshire Boulevard, it is expected that some drivers will switch to public transit to take advantage of the faster and more reliable travel times. In both scenarios, the increase in travel time in the eastbound Brentwood segment was adjusted downward by one minute to reflect the project's proposed widening of Wilshire Boulevard between Barrington Avenue and Bonsall Avenue. The additional roadway capacity will accommodate an eastbound bus lane in this busy approach to the I-405 Freeway.

It should be noted that the original Proposed Project included bus lanes between Veteran Avenue and the I-405 Freeway, but this (short) segment of bus lanes was removed in the project alternatives because of **potential** interweaving problems at the freeway ramps. Since LADOT's mixed-flow travel time analysis assumed the inclusion of the bus lanes in this segment, the projected impact on mixed-flow travel times in Westwood may be slightly over-estimated.

The analysis yielded the following findings:

- For the "opening day" scenario, average mixed-flow travel times along Wilshire Boulevard during peak periods would increase from 42.80 minutes to 53.49 minutes (total all three segments at 8.7 miles). This is an average total increase of 10.69 minutes, assuming no mode shift to transit or traffic diversion off Wilshire Boulevard. This equates to an average increase in mixed-flow travel times of 1.23 minutes per mile. Average increases in mixed-flow travel times for each of the three segments range from 0.99 to 2.2 minutes per mile. Table 1, "Mixed-Flow Travel Times on Wilshire Boulevard – Opening Day" provides a breakdown of current and projected mixed-flow travel times along each segment of Wilshire Boulevard.
- Beyond opening day, after traffic conditions have normalized, the average mixed-flow travel times along Wilshire Boulevard during peak periods would increase from 42.80 minutes to 48.91 minutes (total all three segments at 8.7 miles). This is an average total increase of 6.11 minutes after 10% of drivers have either shifted to transit or diverted off Wilshire Boulevard. This equates to an average increase in mixed-flow travel times of 0.70 minutes per mile. Average increase in mixed-flow travel times for each of the three segments range from 0.55 to 1.19 minutes per mile. Table 2, "Mixed-Flow Travel Times on Wilshire Boulevard – On-going BRT Operations," provides a breakdown of current and projected mixed-flow travel times along each segment of Wilshire Boulevard.

Table 1
 WILSHIRE BUS RAPID TRANSIT PROJECT
 MIXED-FLOW TRAVEL TIMES ON WILSHIRE BLVD - OPENING DAY
 January 2011
 LADOT

Segment	AM Peak Period (7-9 AM)			PM Peak Period (4-7 PM)			AM & PM Ave. Change	Length of Segment in Miles	Average Minutes of Delay Per Mile
	Current Travel Time	Travel Time w/Bus Lanes	Change	Current Travel Time	Travel Time w/Bus Lanes	Change			
MID-CITY									
S. Park View St to San Vicente Bl (Beverly Hills)									
Eastbound	16.74 min	21.12 min	+4.38 min	26.70 min	32.42 min	+6.72 min	+5.33 min	5.4	+0.95 min
Westbound	17.50 min	22.08 min	+4.58 min	21.51 min	27.13 min	+5.62 min			
Ave. Change Both Directions			+4.48 min			+6.17 min			
WESTWOOD									
Comstock Ave. (Beverly Hills) to I-405 Fwy									
Eastbound	6.97 min	7.53 min	+1.56 min	8.06 min	10.18 min	2.11 min	+3.64 min	1.8	+2.2 min
Westbound	8.28 min	10.45 min	+2.17 min	33.31 min	42.02 min	8.71 min			
Ave. Change Both Directions			1.87 min			5.41 min			
BRENTWOOD									
I-405 Fwy to Centinela Ave. (Santa Monica)									
Eastbound	7.64 min	8.64 min	+1.00 min	18.53 min	22.34 min	+3.81 min	+1.72 min	1.5	+1.15 min
Westbound	3.91 min	4.93 min	+1.02 min	4.03 min	5.06 min	+1.05 min			
Ave. Change Both Directions			+1.01 min			+2.43 min			
FULL ALIGNMENT (PROJECT ALT. A) (Mid-City to Westwood to Brentwood)									
Eastbound	30.35 min	37.39 min	+8.94 min	52.31 min	64.95 min	+12.64 min	+10.68 min	8.7	+1.25 min
Westbound	25.56 min	37.46 min	+11.90 min	58.86 min	74.23 min	+15.36 min			
Ave. Change Both Directions			+7.56 min			+14.01 min			

Assumptions/Conditions:

- 1 Current mixed flow travel time data was collected with floating car runs during last two weeks of Jan. 2011 (Tue, Wed, Thu, excluding holidays)
- 2 Calculations of travel time with bus lanes are based on a 28.16% overall travel time increase for mixed flow traffic on Wilshire Bl with bus lanes (from LADOT report to City Council 4/19/2007) except for increases in the eastbound Brentwood segment, which were adjusted downward by 1 min. to reflect additional roadway capacity from proposed widening of eastbound Wilshire Bl between Barrington Ave and Bonsak Ave
- 3 Assumes inclusion of bus lanes between Veteran and 405 Fwy (eliminated in Locally Preferred Alternative)
- 4 Assumes inclusion of bus lanes between Selby and Comstock in Westwood (bus lanes eliminated in this segment by Metro Board action Dec. 9, 2010)
- 5 Assumes no mode shift to transit or traffic diversion off of Wilshire Bl

Table 2
WILSHIRE BUS RAPID TRANSIT PROJECT
MIXED-FLOW TRAVEL TIMES ON WILSHIRE BLVD - ON-GOING BRT OPERATIONS
 January 2011
 LADOT

Segment	AM Peak Period (7-9 AM)			PM Peak Period (4-7 PM)			AM & PM Ave. Change	Length of Segment in Miles	Average Minutes of Delay Per Mile
	Current Travel Time	Travel Time w/Bus Lanes	Change	Current Travel Time	Travel Time w/Bus Lanes	Change			
MID-CITY 5 Park View St. to San Vicente Bl (Beverly Hills)									
Eastbound	16.74 min	19.32 min	+2.58 min	25.70 min	29.66 min	+3.96 min	+3.14 min	5.4	+0.58 min
Westbound	17.50 min	20.19 min	+2.69 min	21.51 min	24.82 min	+3.31 min			
Ave. Change Both Directions			+2.64 min			+3.64 min			
WESTWOOD Comstock Ave. (Beverly Hills) to I-405 Fwy									
Eastbound	5.97 min	6.89 min	+0.92 min	8.08 min	9.32 min	+1.24 min	+2.16	1.8	+1.19 min
Westbound	8.28 min	9.55 min	+1.27 min	33.31 min	36.44 min	+3.13 min			
Ave. Change Both Directions			+1.10 min			+3.19 min			
BRENTWOOD I-405 Fwy to Cermena Ave (Santa Monica)									
Eastbound	7.64 min	7.82 min	+0.18 min	16.53 min	20.38 min	+3.85 min	+0.82 min	1.5	+0.55 min
Westbound	3.91 min	4.51 min	+0.60 min	4.03 min	4.65 min	+0.62 min			
Ave. Change Both Directions			+0.39 min			+1.24 min			
FULL ALIGNMENT (PROJECT ALT. A) (Mid-City + Westwood + Brentwood)									
Eastbound	30.38 min	34.03 min	+3.65 min	53.31 min	60.36 min	+7.05 min	+6.11 min	6.7	+0.70 min
Westbound	29.69 min	34.25 min	+4.56 min	58.55 min	67.91 min	+9.36 min			
Ave. Change Both Directions			+4.12 min			+8.08 min			

Assumptions/Conditions:

1. Current mixed flow travel time data was collected with floating car runs during last two weeks of Jan 2011 (Tue, Wed, Thu, excluding holidays)
2. Calculations of travel time with bus lanes are based on a 18.39% overall travel time increase for mixed flow traffic on Wilshire Bl with bus lanes (from LADOT report to City Council 4/19/2007) except for increases in the eastbound Brentwood segment, which were adjusted downward by 1 min to reflect additional roadway capacity from proposed widening of eastbound Wilshire Bl between Barrington Ave. and Borsari Ave.
3. Assumes inclusion of bus lanes between Veteran and 405 Fwy (eliminated in Locally Preferred Alternative)
4. Assumes inclusion of bus lanes between Selby and Comstock in Westwood (bus lanes eliminated in this segment by Metro Board action Dec. 9, 2010)
5. Assumes 10% mode shift to transit or traffic diversion off of Wilshire Bl

ATTACHMENT C

**MITIGATION MONITORING
AND REPORTING PROGRAM**

Wilshire Bus Rapid Transit Project

April 2011

1.0 Introduction

The Los Angeles County Metropolitan Transportation Authority (LACMTA) completed the Final Environmental Impact Report/Environmental Assessment (Final EIR/EA) for the Wilshire Bus Rapid Transit (BRT) Project in November 2010. LACMTA is the lead agency in the preparation of the EIR in accordance with the California Environmental Quality Act (CEQA).

Subsequent to the release of the Final EIR/EA, the LACMTA Board of Directors, in its December 2010 meeting, directed staff to study an additional alternative that would reduce the length of the bus lanes by one mile between Comstock Avenue and Selby Avenue. This alternative is considered a refinement to Alternative A and, as such, is referred to in this document as Alternative A-1. In addition, on February 2, 2011, the Los Angeles City Council requested that staff also include a second additional alternative that would further reduce the length of the bus lanes west of the City of Beverly Hills so that the bus lanes would only extend from South Park View Street to San Vicente Boulevard. This second additional alternative is a further refinement to Alternative A and is referred to in this document as Alternative A-2.

It should be noted that the Revised Final EIR/EA determined the refinements to Alternative A (Alternatives A-1 and A-2) to be equally feasible. Alternative A-2 was identified to be the environmentally superior alternative because it would have lesser overall impacts than Alternative A-1; however, Alternative A-1, would more fully meet the goals and objectives of the project and provide greater benefits than Alternative A-2. Accordingly, Alternative A-1 has been selected by the LACMTA Board as the preferred alternative. Because both Alternatives A-1 and A-2 are equally feasible, this Mitigation Monitoring and Reporting Program (MMRP) has been established for both of these alternatives and not on the project as originally proposed.

2.0 Mitigation Monitoring and Reporting Program

CEQA requires agencies that adopt EIRs and mitigated negative declarations (MNDs) to take affirmative steps to determine that approved mitigation measures are implemented subsequent to project approval.

Effective January 1, 1989, CEQA was amended to add Section 21081.6, implementing Assembly Bill 3180. As part of CEQA's (state-mandated) environmental review procedures, Section 21081.6 requires a public agency to adopt a reporting or monitoring program for assessing and ensuring efficacy of any mitigation measures applied to a proposed project. Specifically, the lead or responsible agency must adopt a reporting or monitoring program for mitigation measures incorporated into a project or imposed as conditions of approval. The program must be designed to ensure compliance during project implementation. As stated in Public Resources Code Section 21081.6 (a) (1):

The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required

or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead agency or a responsible agency, prepare and submit a proposed reporting or monitoring program.

Assembly Bill 3180 provides general guidelines for implementing MMRPs. Specific reporting and/or monitoring requirements, which are to be enforced during project implementation, shall be defined prior to final approval of the proposal by the responsible decision maker(s). In response to established CEQA requirements and those of Assembly Bill 3180 (Public Resources Code Section 21000 et seq.), the proposed MMRP for the Wilshire BRT project shall be submitted for adoption by the decision makers prior to completion of the environmental review process. LACMTA, the Los Angeles Department of Transportation (LADOT), and the Los Angeles County Department of Public Works (LACDPW) will use this MMRP to ensure compliance with mitigation measures associated with execution of the project.

Under each identified resource, the mitigation measure(s) identified in the Revised Final EIR/EA and the implementation and monitoring requirements are discussed. The implementation and monitoring requirements set forth in this MMRP are as follows:

- Party Responsible for Implementation of Mitigation;
- Implementation Phase;
- Party Responsible for Monitoring Activity;
- Monitoring Activity;
- Monitoring Period;
- Monitoring Frequency; and
- Outside Agency Coordination.

Mitigation is required to address significant or potentially significant impact(s) on the following issue areas:

- Traffic; and
- Construction.

Although impact(s) on the following resource areas are expected to be less than significant, mitigation is nonetheless proposed to ensure that any potential impact(s) remain less than significant:

- Air Quality; and
- Noise.

Table 1 presents the MMRP for the project under either Alternative A-1 – Truncated Project with Reduced Length Bus Lanes Between Comstock Avenue and Selby Avenue or Alternative A-2 – Truncated Project with Bus Lanes from South Park View Street to San Vicente Boulevard.

Table 1: Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Implementation Phase	Monitoring Party	Monitoring Activity	Monitoring Period/Frequency	Outside Agency Coordination
<i>Traffic</i>						
<p>T-1:</p> <ul style="list-style-type: none"> Barrington Avenue/Wilshire Boulevard (for Alternative A-1 only) - The traffic signal at this intersection shall be modified to include a westbound "Protected plus Permitted" phase. By adding a "protected" left-turn phasing (a left-turn arrow), traffic operations can be improved and delay reduced, and the project impact at this location would be eliminated. Westwood Boulevard/Santa Monica Boulevard (for Alternative A-1 only) - The southbound approach shall be restriped to add a second left-turn lane, and the southbound left-turn signal phasing shall be modified to "Protected" phasing. By adding a "protected" left-turn phasing, traffic operations can be improved and delay reduced, and the project impact at this location would be eliminated. Bundy Drive/Olympic Boulevard (for Alternative A-2 only) - The southbound approach shall be restriped to add a second left-turn lane. An additional signal head shall be installed as required. Fairfax Avenue/Olympic Boulevard - The traffic signal phasing shall be modified to improve efficiency, and an Adaptive Traffic Control System (ATCS) shall be installed at eight intersections on Olympic Boulevard between Fairfax Avenue and La Brea Avenue. The ATCS is a personal computer-based program that provides a fully responsive method to accommodate real-time (actual) traffic conditions. The 	LADOT	Prior to project operation	LADOT	<ul style="list-style-type: none"> Check plans for intersection reconfiguration Check that mitigation measures are implemented 	Once at completion of construction and prior to project operation	None

Table 1: Mitigation Monitoring and Reporting Program (Continued)

Mitigation Measure	Responsible Party	Implementation Phase	Monitoring Party	Monitoring Activity	Monitoring Period/Frequency	Outside Agency Coordination
Traffic (Continued)						
<p>expected benefit to traffic flow is a reduction in the volume-to-capacity (V/C) ratio of 0.03 at the eight upgraded intersections, which corresponds to a 7.5 second reduction in overall intersection delay.</p> <ul style="list-style-type: none"> La Brea Avenue/Olympic Boulevard – The traffic signal shall be modified to include an eastbound "Protected plus Permitted" phase. By adding a "Protected plus Permitted" left-turn phasing for heavy turning movements, traffic operations can be improved and delay reduced, and the project impact at this location would be eliminated. Crenshaw Boulevard/Olympic Boulevard – ATCS shall be installed at six intersections along Olympic Boulevard between La Brea Avenue and Crenshaw Boulevard. The expected benefit to traffic flow is a reduction in the volume-to-capacity (V/C) ratio of 0.03 at the six upgraded intersections, which corresponds to a 7.5 second reduction in overall intersection delay. 						
Air Quality						
AQ-1: To the extent applicable and practicable, minimize, reuse, and recycle construction-related waste.	LADOT and LACDPW	During project construction	LADOT and LACDPW	<ul style="list-style-type: none"> Ensure that mitigation measure is carried out by construction team/contractor 	Throughout project construction	None

Table 1: Mitigation Monitoring and Reporting Program (Continued)

Mitigation Measure	Responsible Party	Implementation Phase	Monitoring Party	Monitoring Activity	Monitoring Period/Frequency	Outside Agency Coordination
Air Quality (Continued)						
AQ-2: Minimize grading, earth-moving, and other energy-intensive construction practices.	LADOT and LACDPW	During project construction	LADOT and LACDPW	<ul style="list-style-type: none"> Ensure that mitigation measure is carried out by construction team/contractor 	Throughout project construction	None
AQ-3: To the extent applicable and practicable, replacement trees or landscaping shall be provided.	LADOT and LACDPW	During project construction	LADOT and LACDPW	<ul style="list-style-type: none"> Ensure that mitigation measure is carried out by construction team/contractor 	Throughout project construction	None
AQ-4: To the extent applicable and practicable, use solar power or electricity from power poles rather than temporary diesel power generators.	LADOT and LACDPW	During project construction	LADOT and LACDPW	<ul style="list-style-type: none"> Ensure that mitigation measure is carried out by construction team/contractor 	Throughout project construction	None
Noise						
N-1: To the extent applicable, practicable, and feasible, all noise-producing construction equipment and vehicles using internal combustion engines shall be equipped with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features in good operating condition that meet or exceed original factory specification. Mobile or fixed "package" equipment (e.g., arc-welders, air compressors) may be equipped with shrouds and noise control features that are readily available for that type of equipment.	LADOT and LACDPW	During project construction	LADOT and LACDPW	<ul style="list-style-type: none"> Ensure that mitigation measure is carried out by construction team/contractor 	Throughout project construction	None

Table 1: Mitigation Monitoring and Reporting Program (Continued)

Mitigation Measure	Responsible Party	Implementation Phase	Monitoring Party	Monitoring Activity	Monitoring Period/Frequency	Outside Agency Coordination
Noise (Continued)						
N-2: To the extent applicable, practicable, and feasible, electrically powered equipment shall be used instead of pneumatic or internal combustion powered equipment.	LADOT and LACDPW	During project construction	LADOT and LACDPW	<ul style="list-style-type: none"> Ensure that mitigation measure is carried out by construction team/contractor 	Throughout project construction	None
N-3: The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.	LADOT and LACDPW	During project construction	LADOT and LACDPW	<ul style="list-style-type: none"> Ensure that mitigation measure is carried out by construction team/contractor 	Throughout project construction	None
N-4: No project-related public address or music system shall be audible at any adjacent receptor.	LADOT and LACDPW	During project construction	LADOT and LACDPW	<ul style="list-style-type: none"> Ensure that mitigation measure is carried out by construction team/contractor 	Throughout project construction	None
Construction						
C-1: The City and County of Los Angeles shall prepare a traffic management plan to facilitate the flow of traffic during construction. The plan shall include the following: <ul style="list-style-type: none"> Implement diversions/detours to facilitate traffic flow throughout the construction zones; Implement traffic control devices and flagmen/traffic officers, if possible, to maintain traffic flow throughout the construction zones; and Implement a public outreach/education program to inform the public about the 	LACMTA, LADOT, and LACDPW	During project construction	LADOT and LACDPW	<ul style="list-style-type: none"> Ensure that a traffic mitigation plan is completed and implemented by construction team/contractor Public outreach/education program to be implemented by City and 	Throughout project construction	None

Table 1: Mitigation Monitoring and Reporting Program (Continued)

Mitigation Measure	Responsible Party	Implementation Phase	Monitoring Party	Monitoring Activity	Monitoring Period/Frequency	Outside Agency Coordination
Construction (Continued)						
planned construction process and encourage motorists to consider alternate travel routes.				County of Los Angeles		
<p>C-2: The City and County of Los Angeles shall develop Worksite Traffic Control plans to accommodate required pedestrian and traffic movements. The plan shall include the following:</p> <ul style="list-style-type: none"> • Location of any roadway/lane or sidewalk closure; • Traffic detours and haul routes; • Hours of operation; • Protective devices and warning signs; and • Access to abutting properties. 	LADOT, and IACDPW	During project construction	LADOT and IACDPW	<ul style="list-style-type: none"> • Ensure that a worksite traffic control plan is completed and implemented by construction team/contractor 	Throughout project construction	None
<p>C-3: The City and County of Los Angeles shall develop a Construction Phasing and Staging Plan to minimize the inconvenience to businesses and motorists within the construction zones. The plan shall control the impacts of construction in any segment by limiting the areas that may be constructed at a particular time.</p>	LADOT, and IACDPW	During project construction	LADOT and IACDPW	<ul style="list-style-type: none"> • Ensure that a construction phasing and staging plan is completed and implemented by construction team/contractor 	Throughout project construction	None

**FINDINGS OF FACT
AND
STATEMENT OF OVERRIDING
CONSIDERATIONS**

Wilshire Bus Rapid Transit Project

April 2011

1.0 Introduction

In September 2007, the Los Angeles County Metropolitan Transportation Authority (LACMTA) and the City of Los Angeles submitted a "Very Small Starts" funding application to the Federal Transit Administration (FTA) for the Wilshire Bus Rapid Transit (BRT) Project. In December 2007, FTA granted LACMTA pre-award authority to incur costs for project development activities prior to grant approval, including finalization of any necessary environmental analysis for the proposed project.

LACMTA, in coordination with the City of Los Angeles and Los Angeles County, began evaluating the proposed Wilshire BRT Project in November 2008, as part of preparing an Initial Study/Environmental Assessment (IS/EA). Between November 12, 2008 and November 19, 2008, four community meetings were held along the Wilshire corridor to present the Wilshire BRT Project and solicit any questions and/or comments for the technical team to incorporate. In response to the comments and input received at these community meetings, the environmental document was elevated to an Environmental Impact Report/Environmental Assessment (EIR/EA), which was circulated for public review from June 10, 2010 through July 26, 2010.

LACMTA completed the Final EIR/EA for the Wilshire BRT Project in November 2010. In consideration of comments received during the public review of the Draft EIR/EA, LACMTA staff recommended adoption of Alternative A (Truncated Project Without Jut-Out Removal), instead of the proposed project, to the LACMTA Board. Subsequent to the release of the Final EIR/EA, the LACMTA Board of Directors, in its December 2010 meeting, directed staff to study an additional alternative that would reduce the length of the bus lanes by one mile between Comstock Avenue and Selby Avenue. This alternative is considered a refinement to Alternative A and, as such, has been referred to in the Revised Final EIR/EA as Alternative A-1. In addition, on February 2, 2011, the Los Angeles City Council requested that staff also include a second additional alternative that would further reduce the length of the bus lanes west of the City of Beverly Hills so that the bus lanes would only extend from South Park View Street to San Vicente Boulevard. This second additional alternative is a further refinement to Alternative A and has been referred to in the Revised Final EIR/EA as Alternative A-2.

The Findings of Fact have been prepared to comply with the requirements of the California Environmental Quality Act (CEQA)(Public Resources Code Section 21000) and the *State CEQA Guidelines* (California Code of Regulations Title 14 Section 15000) and reflect the information obtained and analyses conducted in the Revised Final EIR/EA for the Wilshire BRT Project.

2.0 Project Description

2.1 Project History and Background

Wilshire Boulevard is the most heavily used transit corridor in Los Angeles County, with over 80,000 bus boardings taking place along the corridor each weekday. In addition to being the most heavily used transit corridor in the County, Wilshire Boulevard has the distinction of

having some of the highest average daily traffic (ADT) volumes in the City of Los Angeles. Approximately 110,000 automobiles pass through the intersections of Westwood Boulevard, Gayley Avenue, and Veteran Avenue each weekday in the Westwood area. While ADT volumes are lower along the eastern portion of the project area (e.g., the ADT volume at Fairfax Avenue is 62,000), the corridor's average ADT volume is estimated at 80,000. Moreover, Wilshire Boulevard is an important strategic BRT corridor due to the following: (1) the Mid-City/Westside segment of Wilshire Boulevard is a highly significant origin and/or destination point for trips in southern California, especially for transit trips, over 41% of which either originate or terminate in the Wilshire corridor; (2) the Wilshire corridor has a significantly higher transit mode split (20%) than the City of Los Angeles as a whole (8%), and the trend is expected to increase from nearly 2.5 to 2.8 times the City mode split; and (3) the Wilshire corridor currently has very high internal trip retention (over half of all trips begin and end in the corridor), and despite growth in regional trips, the corridor is expected to maintain these high internal trip retention percentages.

With increasing ADT volumes on Wilshire Boulevard, demands for viable alternatives to the automobile have increased as congestion continues to slow automobile travel. This same congestion also slows buses, increasing travel time, and reducing schedule reliability for transit customers, while increasing operating costs for Metro. Average bus speeds, along with automobile speeds, have declined steadily over the past 20 years. The Wilshire BRT Project is intended to further improve bus passenger travel times, service reliability, ridership of the existing Wilshire BRT system, and encourage a shift from automobile use to public transit.

In March 2004, the Los Angeles Department of Transportation (LADOT) and LACMTA implemented peak period bus lanes along a one-mile segment of Wilshire Boulevard between Centinela Avenue and Federal Avenue in West Los Angeles, as part of a Bus Lane Demonstration Project. The purpose of this demonstration project was to test whether curbside, exclusive bus lanes operating in the a.m. and p.m. peak periods would significantly improve bus travel speeds and service on Wilshire Boulevard. This demonstration project resulted in improvements in bus speeds and reliability through the one-mile segment. Before and after data analysis indicated that this demonstration project resulted in a 14 percent bus speed improvement and up to a 32 percent improvement in bus schedule reliability.

In November 2006, LACMTA and LADOT began studying the feasibility of implementing end-to-end bus lanes on Wilshire Boulevard between downtown Los Angeles and the City of Santa Monica. The City of Los Angeles and LACMTA began the Wilshire Bus Speed Improvement Study. Three options were developed by LADOT, which are as follows:

- Peak period end-to-end bus lanes, which consists of the conversion of Wilshire Boulevard curb lanes from mixed flow to bus and right-turn only, and implementation of a number of engineering enhancements, including increased bus signal priority, bus stop relocations, pavement repair, and minor on-street parking space removal to improve bus speeds, schedule reliability, and overall bus travel times.
- All day mini bus lanes, which consist of implementation of "mini" bus lanes in selected segments, construction of a number of minor street improvements, and implementation of the engineering enhancements identified above.
- Implementation of engineering enhancements (e.g., traffic signal modifications/Transit Priority System) only.

In May 2007, the Los Angeles City Council was presented with the above options and made a decision to pursue the first option of constructing peak period end-to-end bus lanes, which clearly met the corridor objectives to improve schedule reliability, improve passenger travel times and average bus speeds, minimize parking space removal, and encourage a mode shift from automobile to bus.

In August 2007, the demonstration project was temporarily suspended by the Los Angeles City Council until the one-mile segment could be integrated into a larger bus lane project.

2.2 Project Goals and Objectives

The Wilshire BRT Project is intended to further improve bus passenger travel times, service reliability, ridership of the existing Wilshire BRT system, and encourage a shift from automobile use to public transit. When implemented, bus passenger travel times are expected to improve by an average of 24%. Up to a 10% mode shift from mixed flow to bus use is projected. Based on the bus travel time improvements and associated ridership increases experienced with the Metro Rapid Program to-date, transit ridership along the Wilshire corridor is anticipated to increase between 15% and 20%.

The goals and objectives for the project have been developed from the transportation and land use goals and objectives of local and regional agencies, including the City of Los Angeles, Los Angeles County, and the Southern California Association of Governments (SCAG), who serves as the regional Metropolitan Planning Organization (MPO), and are consistent with the other transit improvements currently planned in Los Angeles County. The following is a list of general project goals and objectives that have been developed for the project:

- Improve bus passenger travel times by allowing buses to travel in dedicated peak-period bus lanes for the majority of the alignment between Valencia Street to the east and Centinela Avenue to the west;
- Improve bus service reliability by separating buses from the already high levels of corridor traffic congestion;
- Improve traffic flow along Wilshire Boulevard;
- Repave the curb lanes along damaged portions of Wilshire Boulevard to allow their effective use by buses during peak periods and by both buses and automobiles during non-peak periods;
- Encourage shift from automobile use to public transit by continuing to attract new transit riders;
- Improve air quality in Los Angeles County with the reduction in mobile source emissions resulting from a mode shift from automobile use to bus use; and
- Minimize impacts to existing on-street parking.

2.3 Project Characteristics

In response to comments received during the public review of the Draft EIR/EA and public testimony during a LACMTA Board meeting in December 2010 and a Los Angeles City Council meeting in February 2011, the LACMTA Board has considered the two refinements

to Alternative A (i.e., Alternative A-1 – Truncated Project with Reduced Length Bus Lanes Between Comstock Avenue and Selby Avenue, and Alternative A-2 – Truncated Project with Bus Lanes from South Park View Street to San Vicente Boulevard), which have been addressed in the Revised Final EIR/EA. The project as proposed under either Alternative A-1 or A-2 was analyzed at the same level of detail as the proposed project in the Revised Final EIR/EA.

Under either Alternative A-1 or A-2, a variety of activities are proposed along the entire length of the project corridor. Much of the existing curb lanes on Wilshire Boulevard in the City of Los Angeles would be “converted” to a bus and right-turn only operation in the peak periods (7 a.m. to 9 a.m. and 4 p.m. to 7 p.m.) on weekdays. In these segments, curb lanes would be repaired or reconstructed, where necessary, and restriped and signed as peak period bus lanes. In other areas, curbside bus lanes would be added as new lanes to Wilshire Boulevard by widening (Alternative A-1 only). Upgrades to the transit signal priority system (TPS) would also be implemented, including (1) addition of bus signal priority at intersections with near-side bus stops, (2) increase in maximum available time for transit signal priority from 10 percent to 15 percent of the traffic signal cycle at minor intersections, and (3) reduction in the number of traffic signal recovery cycles from two to one at key intersections along the corridor. In areas along Wilshire Boulevard where no bus lanes are implemented, the buses would operate with mixed-flow traffic.

Under Alternative A-1 only, a portion of the project is under County jurisdiction, between Veteran Avenue and Federal Avenue (approximately 0.8 mile) near the Veterans Administration facilities. Key elements of the County's project scope include widening Wilshire Boulevard between Bonsall Avenue and Federal Avenue, reduction of adjacent sidewalks to a uniform width, traffic lane restriping, adjustments to geometrics and traffic signals, signage and markings, and a 470-foot extension of an eastbound left-turn pocket at Sepulveda Boulevard.

The key elements of the project as proposed under Alternative A-1 are summarized from east to west, as follows:

- 7.7 miles of bus lanes from South Park View Street to San Vicente Boulevard (5.4 miles), the western border of the City of Beverly Hills to Comstock Avenue (0.5 mile), Selby Avenue to mid-block Gayley/Veteran Avenue (0.5 mile), and Bonsall Avenue to Centinela Avenue (1.3 miles);
- 3.6 miles of curb lane reconstruction/resurfacing between Western Avenue and San Vicente Boulevard;
- Retention of the juit-outs between Comstock Avenue and Malcolm Avenue (1.0 mile);
- Lengthen the eastbound left-turn pocket at Sepulveda Boulevard by approximately 470 feet;
- Widen Wilshire Boulevard between Bonsall Avenue and Barrington Avenue to accommodate bus lanes (0.7 mile); and
- TPS communication system upgrade, TPS enhancements, signage, and restriping for bus lanes, as necessary, along the project corridor.

The key elements of the project as proposed under Alternative A-2 are summarized from east to west, as follows:

- 5.4 miles of bus lanes from South Park View Street to San Vicente Boulevard;
- 3.6 miles of curb lane reconstruction/resurfacing between Western Avenue and San Vicente Boulevard;
- Retention of the jut-outs between Comstock Avenue and Malcolm Avenue (1.0 mile);
- TPS enhancements, signage, and restriping for bus lanes, as necessary, along the project corridor; and
- Inclusion of several design options that include (1) an additional 1.4 miles of curb lane reconstruction/resurfacing between Hoover Street and Western Avenue; and (2) a TPS communication system upgrade.

2.4 Other Alternatives to the Proposed Project

No Project Alternative

This alternative is required by Section 15126.6(e) of the CEQA Guidelines and assumes that the proposed project would not occur. Under the No Project Alternative, proposed improvements to 9.9 miles of the Wilshire Corridor included under the proposed project would not be implemented. Specifically, the proposed restriping and widening of some existing portions of the Wilshire corridor would not occur. The No Project Alternative would not include the conversion of existing curb lanes to bus lanes in each direction during peak periods; upgrade of the existing transit signal priority system; selective street widening; reconstruction/resurfacing of curb lanes in select areas; and, installation of traffic/transit signage and pavement markings, as necessary, to implement dedicated peak period bus lanes. Existing conditions of the Wilshire Corridor would remain under this alternative. Consequently, the No Project Alternative would not achieve or fulfill any of the goals and objectives of the proposed project.

Alternative A: Truncated Project Without Jut-Out Removal

Alternative A - Truncated Project Without Jut-Out Removal would include the development of 8.7 miles of bus lanes from the Wilshire Boulevard/South Park View Street intersection to the Wilshire Boulevard/Centinela Avenue intersection. This alternative would reduce the length of the bus lanes to 8.7 miles from the 9.7 miles under the proposed project. Additionally, unlike the proposed project, this alternative would retain the existing jut-outs between Comstock Avenue and Malcolm Avenue (1.0 mile). The existing traffic lane would be converted to a bus lane in each direction between Comstock Avenue and Malcolm Avenue. Under Alternative A, compared to the proposed project, an additional 1.8 miles of curb lane reconstruction/resurfacing would occur between Fairfax Avenue and San Vicente Boulevard (0.6 miles) and between the western border of the City of Beverly Hills and Westholme Avenue (1.2 miles). In areas along Wilshire Boulevard where no bus lanes are implemented, the buses would operate with mixed-flow traffic.

The key features of this alternative are summarized from east to west, as follows:

- 8.7 miles of bus lanes from South Park View Street to San Vicente Boulevard (5.4 miles), the western border of the City of Beverly Hills to mid-block Gayley/Veteran Avenue (2.0 miles), and Bonsall Avenue to Centinela Avenue (1.3 miles);
- 4.8 miles of curb lane reconstruction/resurfacing between Western Avenue and San Vicente Boulevard (3.6 miles) and between the western border of the City of Beverly Hills and Westholme Avenue (1.2 miles);
- Retention of the jut-outs between Comstock Avenue and Malcolm Avenue (1.0 mile);
- Lengthen the eastbound left-turn pocket at Sepulveda Boulevard by approximately 470 feet;
- Widen Wilshire Boulevard between Bonsall Avenue and Barrington Avenue to accommodate bus lanes (0.7 mile); and
- TPS enhancements, signage, and restriping for bus lanes, as necessary, along the project corridor.

Alternative B: Truncated Project

Alternative B – Truncated Project includes the development of 8.7 miles of bus lanes within the 12.5-mile project corridor, compared to the 9.7 miles of bus lanes under the proposed project. This alternative would reduce the length of the bus lanes by 1.0 mile by not implementing the bus lanes from Valencia Street to South Park View Street (0.7 mile) and from mid-block Gayley Avenue/Veteran Avenue to Sepulveda Boulevard (0.3 mile). Similar to the proposed project, this alternative would remove the jut-outs between Comstock Avenue and Malcolm Avenue.

Although this project would meet the project's objectives, this alternative is not being evaluated further because it would neither avoid nor substantially lessen any of the significant and unavoidable effects identified for the proposed project. In addition, there is strong community opposition to the removal of the jut-outs between Comstock Avenue and Malcolm Avenue and the associated impacts to access to residential buildings along Wilshire Boulevard, on-street parking, and street trees. As such, this project alternative was considered infeasible and eliminated from further analysis in this EIR/EA.

Alternative C: Mini-Bus Lanes

The Mini-Bus Lanes Alternative would include a 2.5-mile bus lane compared to the 9.7 miles that would be included under the proposed project. This alternative would include bus lanes in selected segments plus street improvements and engineering enhancements. This alternative is not being evaluated further because, while it would improve bus travel time through several congested locations, it would not substantially improve schedule reliability and reduce bus "bunching" due to congested conditions elsewhere in the corridor. One of the goals of the project is to increase transit ridership by providing more reliable bus service, and this alternative would not meet that goal. This alternative would also be very difficult to enforce because of the intermittent nature of the bus lanes, as well as their short length, and would require an intensive enforcement approach. Additionally, this alternative would require physical widening of Wilshire Boulevard within the Wilshire Community Plan Area,

which the Community Plan prohibits. As such, this project alternative was considered infeasible and eliminated from further analysis in this EIR/EA.

3.0 Record of Proceedings

For purposes of CEQA and these Findings, the Record of Proceedings for the project consists of the following documents, at a minimum:

- Notice of Preparation, Notice of Completion, and Notice of Availability and all other public notices issued by the LACMTA in conjunction with the project;
- Wilshire BRT Project Draft EIR/EA;
- Wilshire BRT Project Final EIR/EA;
- Mitigation Monitoring and Reporting Program for the project;
- All findings and resolutions adopted by the LACMTA Board in connection with the project and all documents cited or referred to therein;
- Any documents expressly cited in the foregoing documents, in addition to the Findings of Fact and Statement of Overriding Considerations; and
- Any other materials required to be in the record of proceedings by Public Resources Code Section 21167.6, Subdivision (e).

The custodian of the documents comprising the record of proceedings is Ms. Martha Butler, LACMTA, One Gateway Plaza, Los Angeles, CA 90012.

4.0 Findings Required Under CEQA

Public Resources Code (PRC) Section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects, and that the procedures required [by CEQA] are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” Section 21002 also states that “in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mandate and principles stated above are implemented, in part, through the CEQA requirement that agencies must adopt findings before approving projects for which EIRs are required (PRC Section 21081(a) and CEQA Guidelines Sections 15091 and 15096(h)). For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions as follows (CEQA Guidelines Section 15091(a)):

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

For purposes of these findings, the term "avoid" refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less-than-significant level. In contrast, the term "substantially lessen" refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less-than-significant level. Although CEQA Guidelines Section 15091 requires only that approving agencies specify that a particular significant effect is avoided or substantially lessened, these findings, for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less-than-significant level or has simply been substantially lessened but remains significant.

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or a feasible environmentally superior alternative, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's economic, legal, social, technological, or other benefits rendered acceptable its unavoidable adverse environmental effects (CEQA Guidelines Sections 15043(b) and 15093).

These findings constitute LACMTA's best efforts to set forth the rationales and support for its decision under the requirements of CEQA. It should be noted that the Revised Final EIR/EA determined the refinements to Alternative A, Alternatives A-1 and A-2, to be equally feasible. Alternative A-2 was identified to be the environmentally superior alternative because it would have lesser overall impacts than Alternative A-1; however, Alternative A-1, would more fully meet the goals and objectives of the project and provide greater benefits than Alternative A-2. Accordingly, Alternative A-1 has been selected by the LACMTA Board as the preferred alternative. Because both Alternatives A-1 and A-2 are equally feasible, these findings are focused on both of these alternatives and not on the project as originally proposed.

5.0 Legal Effect of Findings

To the extent that these findings conclude that various proposed mitigation measures outlined in the Revised Final EIR/EA are feasible and have not been modified, superseded, or withdrawn, LACMTA, in conjunction with the City and County of Los Angeles, hereby binds itself to implement these measures. These findings constitute a binding set of obligations that will come into effect when the LACMTA Board decision makers formally approve the project as proposed under Alternative A-1 (Truncated Project with Reduced Length Bus Lanes Between Comstock Avenue and Selby Avenue).

The mitigation measures are also referenced in the Mitigation Monitoring and Reporting Program adopted concurrently with these findings and will be effectuated through the process of constructing and implementing the project.

6.0 Mitigation Monitoring and Reporting Program

A Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Wilshire BRT Project and has been adopted concurrently with these findings. LACMTA, the Los Angeles Department of Transportation (LADOT), and the County of Los Angeles Department of Public Works will use the MMRP to track compliance with project mitigation measures. The MMRP will remain available for public review during the compliance period.

7.0 Significant Effects and Mitigation Measures

The Revised Final EIR/EA identified several significant environmental effects (or "impacts") that the project will cause. Some of these significant effects are lessened or made not significant by implementation of feasible mitigation measures. Others cannot be avoided by the adoption of feasible mitigation measures or feasible environmentally superior alternatives (Alternative A-2 – Truncated Project with Bus Lanes from South Park View Street to San Vicente Boulevard). The project as proposed under either Alternative A-1 or A-2 would only result in significant and unavoidable impacts with respect to localized traffic impacts at certain intersections; however, these effects are outweighed by overriding considerations set forth in Section 8.0 below. This section (Section 7.0) presents in greater detail the LACMTA's findings with respect to the environmental effects of the project (i.e., Alternative A-1 as the preferred alternative and Alternative A-2 as the environmentally superior alternative).

For each of the significant or cumulative impacts associated with the project, the following information is provided:

- **Description of Project Impacts** – A specific description of each significant environmental impact identified in the Draft or Revised Final EIR/EA.
- **Proposed Mitigation** – Mitigation measures or actions that are proposed for implementation as part of the project.
- **Finding** – The findings made are those allowed by Section 21081 of the California PRC. The findings are made in two parts. In the first part, a judgment is made regarding the significance of the impact or effect. In the second part, which pertains only to impacts found to be significant, one of three specific findings is made, in accordance with the statement of acceptable findings provided in Section 15091 of the CEQA Guidelines.
- **Rationale** – A summary of the reasons for the decision.
- **Reference** – A notation on the specific section in the Draft or Revised Final EIR/EA that includes the evidence and discussion of the identified impact.

7.1 Traffic, Circulation, and Parking

1) Impact T1: Exceed LOS Criteria under projected 2012 and 2020 Levels of Service.

- a. *Description of Project Impacts* – The project as proposed under either Alternative A-1 or A-2 would result in significant impacts related to the exceedance of level-of-service (LOS) criteria for multiple intersections in both 2012 and 2020 project years.
- b. *Proposed Mitigation* – At some of the intersections at which the project as proposed under either Alternative A-1 or A-2 would have a significant impact on traffic operations, the following mitigation measures would improve traffic operations and reduce the impacts to less-than-significant levels:

T-1:

- Barrington Avenue/Wilshire Boulevard (for Alternative A-1 only) – The traffic signal at this intersection shall be modified to include a westbound “Protected plus Permitted” phase. By adding a “protected” left-turn phasing (a left-turn arrow), traffic operations can be improved and delay reduced, and the project impact at this location would be eliminated.
- Westwood Boulevard/Santa Monica Boulevard (for Alternative A-1 only) – The southbound approach shall be restriped to add a second left-turn lane, and the southbound left-turn signal phasing shall be modified to “Protected” phasing. By adding a “protected” left-turn phasing, traffic operations can be improved and delay reduced, and the project impact at this location would be eliminated.
- Bundy Drive/Olympic Boulevard (for Alternative A-2 only) – The southbound approach shall be re-striped to add a second left-turn lane. An additional signal head shall be installed as required.
- Fairfax Avenue/Olympic Boulevard – The traffic signal phasing shall be modified to improve efficiency, and an Adaptive Traffic Control System (ATCS) shall be installed at eight intersections on Olympic Boulevard between Fairfax Avenue and La Brea Avenue. The ATCS is a personal computer-based program that provides a fully responsive method to accommodate real-time (actual) traffic conditions. The expected benefit to traffic flow is a reduction in the volume-to-capacity (V/C) ratio of 0.03 at the eight upgraded intersections, which corresponds to a 7.5 second reduction in overall intersection delay.
- La Brea Avenue/Olympic Boulevard – The traffic signal shall be modified to include an eastbound “Protected plus Permitted” phase. By adding a “Protected plus Permitted” left-turn phasing for heavy turning movements, traffic operations can be improved and delay reduced, and the project impact at this location would be eliminated.
- Crenshaw Boulevard/Olympic Boulevard – ATCS shall be installed at six intersections along Olympic Boulevard between La Brea Avenue and Crenshaw Boulevard. The expected benefit to traffic flow is a reduction in the

volume-to-capacity (V/C) ratio of 0.03 at the six upgraded intersections, which corresponds to a 7.5 second reduction in overall intersection delay.

c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant Not Significant

For those impacts that are found to be significant, the following additional finding is made:

Changes or alterations have been incorporated into the project that avoid or lessen the effect.

The lead agency lacks the jurisdiction to make the changes, but another agency does have such authority.

Specific economic, social, or other considerations make infeasible mitigation measures or project alternatives.

The impacts(s) subsequent to mitigation is/are found to be:

Significant Not Significant

d. *Rationale* – For Years 2012 and 2020, a total of eight intersections are forecast to remain significantly affected after mitigation under Alternative A-1 because no feasible mitigation measures could be identified for the following locations:

- Veteran Avenue/Sunset Boulevard;
- Bundy Drive/Wilshire Boulevard;
- Overland Avenue/Santa Monica Boulevard;
- Beverly Glen Boulevard/ Santa Monica Boulevard;
- Westwood Boulevard/Pico Boulevard;
- Overland Avenue/Pico Boulevard;
- Fairfax Avenue/Wilshire Boulevard; and
- La Brea Avenue/Wilshire Boulevard.

The following six intersections are forecast to remain significantly impacted in either year 2012 or year 2020 under Alternative A-2 since no feasible mitigation measures that fully mitigate impacts at these intersections could be identified:

- Veteran Avenue/Sunset Boulevard;
- Overland Avenue/Santa Monica Boulevard;
- Westwood Boulevard/Pico Boulevard;
- Overland Avenue/Pico Boulevard;
- Fairfax Avenue/Wilshire Boulevard; and
- La Brea Avenue/Wilshire Boulevard.

The unmitigated impacts at the intersections identified above under either Alternative A-1 or A-2 would remain significant and unavoidable.

- c. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

2) **Impact T2: Exceed Significance Criteria for Local Residential Streets.**

- a. *Description of Project Impacts* – Impacts to local residential streets along the Wilshire corridor caused by potential traffic diversion during bus lane operations could occur.
- b. *Proposed Mitigation* – None required.
- c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant **Not Significant**

- d. *Rationale* – Along the project corridor, Goshen Avenue between Bundy Drive and San Vicente Boulevard, and Lindbrook Drive and Ashton Avenue between Malcolm Avenue and Comstock Avenue, in the western part of the study area, are local residential streets adjacent and run parallel to Wilshire Boulevard. Texas Avenue, in the western part of the study area, also runs parallel to Wilshire Boulevard but is designated as a collector street and, therefore, not subject to a local residential street analysis. Additionally, 6th Street, 7th Street, and 8th Street, adjacent and parallel to Wilshire Boulevard in the eastern part of the study area, are designated as either collector or secondary streets between Fairfax Avenue and Lucas Avenue and, therefore, are not subject to a local residential street analysis.

Under either Alternative A-1 or A-2, study intersections on Wilshire Boulevard in the vicinity of Lindbrook Drive and Ashton Avenue operate at LOS D or better in 2012 and 2020. Therefore, it is not expected that a significant amount of traffic would divert from Wilshire Boulevard to these local residential streets. In the vicinity of Goshen Avenue, the Bundy Drive/Wilshire Boulevard and Federal Avenue-San Vicente Boulevard/Wilshire Boulevard intersections are projected to operate at LOS E or F in 2012 and 2020. However, traffic diversion onto Goshen Avenue is unlikely since Goshen Avenue runs for only a short distance, eastbound left-turn movements from Wilshire Boulevard to Bundy Drive are relatively high-delay movements during peak hours, and northbound left-turn movements from San Vicente Boulevard to Goshen Avenue are prohibited. Therefore, no significant impacts to local residential streets are expected.

- e. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

3) **Impact T3: Exceed parking requirements or result in inadequate parking supply.**

- a. *Description of Project Impacts* – Under either Alternative A-1 or A-2, approximately 11 parking spaces between South Park View Street and Fairfax Avenue (a distance of approximately 4.8 miles) would be removed to accommodate larger or relocated bus stops in order to facilitate bus movements in and out of stops. However, under either alternative, parking supply would be unchanged between Comstock Avenue and Malcolm Avenue since jutting-out in

this area would be retained (Alternative A-1) or no bus lane would be implemented (Alternative A-2). Therefore, no change in parking would occur in this area, and no impact would occur.

b. *Proposed Mitigation* – None required.

c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant Not Significant

d. *Rationale* – The removed parking spaces between South Park View Street and Fairfax Avenue would be spread throughout this segment of the project, with no more than three spaces being removed on any single block. The removed parking spaces would have a small effect on parking supply during off-peak hours. During peak periods, parking is prohibited under current conditions, so the removal of these parking spaces would not affect parking supply at all. Therefore, the removal or restriction of parking spaces on Wilshire Boulevard would result in less-than-significant impacts.

c. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

4) **Impact T4: Result in Auto/Bus transition conflicts at certain locations.**

a. *Description of Project Impacts* – Along the Wilshire Boulevard BRT route, Metro buses would transition into and out of mixed-flow travel lanes at certain locations, depending on downstream roadway capacity changes and jurisdictional boundaries.

b. *Proposed Mitigation* – None Required.

c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant Not Significant

d. *Rationale* – In order to reduce or avoid automobile and bus transition conflicts, the project as proposed under either Alternative A-1 or A-2 would include installation of appropriate signage along Wilshire Boulevard adjacent to each of the areas of potential conflict, in order to inform motorists of bus lane operation during peak hours. For potential traffic conflicts in both eastbound and westbound directions along Wilshire Boulevard, the installation of appropriate signage would ensure that the project as proposed under either alternative would result in less-than-significant impacts related to automobile/bus transition conflicts. No mitigation measures are required.

c. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

5) **Impact T5: Result in inadequate emergency access.**

a. *Description of Project Impacts* – Construction and operation of the project as proposed under either Alternative A-1 or A-2 could interfere with emergency vehicle access due to construction activities and bus lane restrictions.

- b. *Proposed Mitigation* – None required.
- c. *Finding* – The impact(s) prior to mitigation is/are found to be:
 - Significant
 - Not Significant
- d. *Rationale* – Emergency vehicles would be permitted to use the bus lanes when they are in operation. Because these lanes would be free of most other vehicular traffic, emergency response time would likely improve during peak periods. During construction activities, alternative access routes would be utilized, and local emergency access would be retained at all times. Therefore, a less-than-significant impact would occur.
- e. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

7.2 Air Quality

- 1) **Impact AQ1: Conflict with or obstruct implementation of the applicable air quality management plan.**
 - a. *Description of Project Impacts* – The project as proposed under either Alternative A-1 or A-2 would be consistent with the projections in the South Coast Air Quality Management District's (SCAQMD) Air Quality Management Plan (AQMP).
 - b. *Proposed Mitigation* – None required.
 - c. *Finding* – The impact(s) prior to mitigation is/are found to be:
 - Significant
 - Not Significant
 - d. *Rationale* – The project as proposed under either Alternative A-1 or A-2 would be consistent with all local general plans and compatible with the surrounding uses. Because the project as proposed under either Alternative A-1 or A-2 would be consistent with the local general plan, pursuant to SCAQMD guidelines, the project would be considered consistent with the region's AQMP. As such, regional operations emissions for either alternative would be accounted for in the AQMP. In addition, project construction would comply with AQMP emissions control strategies such as Rule 403 (Fugitive Dust), Rule 1108 (Cutback Asphalt), and Rule 1113 (Architectural Coatings), among other control strategies. Accordingly, the project as proposed under either Alternative A-1 or A-2 would be consistent with the projections in the AQMP, thereby resulting in a less-than-significant impact.
 - e. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4
- 2) **Impact AQ2: Violate any air quality standard or contribute substantially to an existing or projected air quality violation.**
 - a. *Description of Project Impacts* – Criteria pollutant emissions for both construction and operation of the project as proposed under either Alternative A-1 or A-2 would result in a less-than-significant regional air quality impact.

- b. *Proposed Mitigation* – None required.
- c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant Not Significant

- d. *Rationale* – Construction of the project as proposed under either Alternative A-1 or A-2 has the potential to create air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated from construction workers traveling to and from the project site. In addition, fugitive dust emissions would result from demolition and construction activities. Mobile-source emissions, primarily NO_x, would result from the use of construction equipment. However, criteria pollutant emissions would be less than the applicable SCAQMD significance thresholds, and as such, would result in a less-than-significant regional air quality impact.

Regional air pollutant emissions associated with project operations would be generated by operation of on-road vehicles. Mobile-source emissions are proportional to the vehicle miles traveled (VMT), which are proportional to new vehicle trips. The project as proposed under either Alternative A-1 or A-2 would not generate new trips; instead, the project would facilitate the movement of existing traffic through the study corridor, as well as other traffic generated by new development in the area. Consequently, the project may result in local traffic redistribution. However, the project itself would not result in a violation of any air quality standard or contribute substantially to an existing or project air quality violation.

- e. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

3) **Impact AQ3: Expose sensitive receptors to substantial pollutant concentrations.**

- a. *Description of Project Impacts* – The project as proposed under either Alternative A-1 or A-2 would result in less-than-significant impacts in exposing sensitive receptors to substantial pollutant concentrations.

- b. *Proposed Mitigation* – None required.

- c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant Not Significant

- d. *Rationale* – A conservative estimate of the project's construction-period on-site mass emissions showed that the worst-case maximum emissions for all criteria pollutants would remain below their respective SCAQMD Localized Significance Threshold (LST). As such, localized impacts that may result from construction-period air pollutant emissions would be less than significant. With regard to regional construction-period impacts under Alternative A-2, impacts would be less than those disclosed for Alternative A-1 since the construction activity under Alternative A-2 would be limited to the project alignment east of the City of Beverly Hills. There would be no cut-out removal between Comstock Avenue and Malcolm Avenue, and there would be no bus lane-related construction from the western boundary of the City of Beverly Hills to Centinela Avenue on the western

end of the project corridor. However, there would be up to 2.0 miles of additional curb lane reconstruction/resurfacing between Hoover Avenue and Western Avenue and between Fairfax Avenue and San Vicente Boulevard. The greatest potential for toxic air contaminant (TAC) emissions would be related to diesel particulate emissions associated with heavy equipment operations during site grading activities. The SCAQMD does not consider diesel-related cancer risks from construction equipment to be an issue due to the short-term nature of construction activities.

Since the project as proposed under either Alternative A-1 or A-2 would continue to operate compressed natural gas (CNG) buses rather than diesel buses and would not result in the emission of acute and/or chronically hazardous TAC pollutants, potential project-generated air toxic impacts on surrounding land uses would be less than significant. No mitigation measures are necessary.

e. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

4) Impact AQ4: Create objectionable odors affecting a substantial number of people.

a. *Description of Project Impacts* – No construction activities or materials are proposed which would create a significant level of objectionable odors. As such, potential impacts during construction would be less than significant.

b. *Proposed Mitigation* – None required.

c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant Not Significant

d. *Rationale* – According to the SCAQMD CEQA Air Quality Handbook (South Coast Air Quality Management District 1993), land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The project as proposed under either Alternative A-1 or A-2 would not include any uses identified by the SCAQMD as being associated with odors and, therefore, would not produce objectionable odors. As such, potential impacts would be less than significant with respect to objectionable odors.

Potential sources that may emit odors during construction activities include asphalt paving. SCAQMD Rule 1108 limits the amount of volatile organic compounds from cutback asphalt. Via mandatory compliance with SCAQMD Rules, no construction activities or materials are proposed which would create a significant level of objectionable odors. As such, potential impacts during construction would be less than significant.

e. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

5) Impact AQ5: Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

a. *Description of Project Impacts* – The relative amounts of GHG emissions associated with the project are negligible. The amount of emissions from the

project as proposed under either Alternative A-1 or A-2, without considering other cumulative global emissions, would not be enough to cause substantial climate change directly. Thus, project emissions, in isolation, are considered less than significant. However, climate change is a global cumulative impact, and the proper context for analysis of this issue is not a project's emissions in isolation but, rather, its contribution to cumulative GHG emissions. Nevertheless, during operation of the project, it would be expected that a beneficial impact on GHG emissions would occur due to decreased traffic congestion along the Wilshire corridor, increased efficiency and use of the CNG-fueled Wilshire BRT, and decreased personal vehicle VMTs.

- b. *Proposed Mitigation* – None required. Nevertheless, mitigation measures to reduce project-related GHG emissions by the greatest extent feasible are prescribed.

AQ-1 To the extent applicable and practicable, minimize, reuse, and recycle construction-related waste.

AQ-2 To the extent applicable and practicable, minimize grading, earth-moving, and other energy-intensive construction practices.

AQ-3 To the extent applicable and practicable, replacement trees or landscaping shall be provided.

AQ-4 To the extent applicable and practicable, use solar power or electricity from power poles rather than temporary diesel power generators.

- c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant Not Significant

- d. *Rationale* – The project as proposed under either Alternative A-1 or A-2 would reduce GHG emissions, compared with existing conditions, by improving traffic circulation and relieving local congestion. Implementation of prescribed mitigation measures during construction would further reduce the project's GHG emissions. As such, the project as proposed under either Alternative A-1 or A-2 would not conflict with the state's goal of reducing GHG emissions to 1990 levels by 2020. Project impacts relative to GHG emissions and climate change would be less than significant.

- e. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

7.3 Cultural Resources

1) Impact CR1: Potential Impacts on Archaeological Resources.

- a. *Description of Project Impacts* – The curb lanes on Wilshire Boulevard in the area near the La Brea Tar Pits are in extremely poor condition and are not used by buses and other vehicles to a high degree. Reconstruction of the roadway base (i.e., below the surface of the pavement) as well as curbs and gutters, where damaged, are proposed for this segment of the alignment. Despite heavy urbanization, buried cultural resources have been identified in the vicinity of the

proposed construction zone. There is the potential for buried archaeological deposits to exist beneath previously disturbed and developed land surfaces in the project area.

- b. *Proposed Mitigation* – None required.
- c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant Not Significant

- d. *Rationale* – The bulk of the project involves activities, such as sidewalk removal (Alternative A-1 only), pavement replacement, or restriping, which are not ground disturbing. For purposes of this project, pavement replacement is not considered a ground-disturbing activity. Therefore, the proposed improvements would have no direct or indirect impact on archaeological resources.
- e. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

2) **Impact CR2: Impacts on Historic Resources.**

- a. *Description of Project Impacts* – The project as proposed under Alternative A-1 would reduce the sidewalk widths on the north and south sides of Wilshire Boulevard between Federal Avenue and Barrington Avenue, as well as on both sides of Wilshire Boulevard between Bonsall Avenue and Federal Avenue; these reductions are not included under Alternative A-2. Of the eight buildings that were identified as historical resources under the CEQA Guidelines, none were found to be affected by the project as proposed under Alternative A-1; since Alternative A-2 would limit physical changes between South Park View Street and San Vicente Boulevard, no impacts to the identified historical resources would occur under this alternative.
- b. *Proposed Mitigation* – None required.
- c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant Not Significant

- d. *Rationale* – The project would convert existing curb lanes on Wilshire Boulevard to bus and right-turn only operation in the peak periods on weekdays. To implement the project as proposed under either Alternative A-1 or A-2, curb lanes would be repaired or reconstructed, where necessary, and restriped and signed as peak period bus lanes. In other areas, curbside bus lanes would be added as new lanes to Wilshire Boulevard by widening and restriping (under Alternative A-1 only). As a result of consultation with the California State Historic Preservation Officer (SHPO) on April 3, 2008, for the purposes of the built environment survey, only those areas where changes would occur to curbs and sidewalks would be included in the Area of Potential Effects (APE). This area is bounded by Bonsall Avenue to the east to Barrington Avenue to the west, extending one parcel on each side of Wilshire Boulevard excluding the north side of Wilshire between Bonsall Avenue and Federal Avenue. The remainder of the project alignment involves lane repaving and/or restriping, would not involve any physical changes to any architectural resources or sidewalk, has no potential to

affect historic properties, and is excluded from the APE. Of the eight buildings that were identified as historical resources under the CEQA Guidelines, none were found to be affected by the project as proposed under Alternative A-1; since Alternative A-2 would limit physical changes between South Park View Street and San Vicente Boulevard, no impacts to the identified historical resources would occur under this alternative. Although an identified resource located at 1250 Federal Avenue (United States Army Reserve Center/Sadao Munemori Hall) is located immediately adjacent to where the widening would occur, the improvements proposed under Alternative A-1 would not have a direct or indirect impact on the historic resource. As a result, based on field observations and a review of the proposed improvements under Alternative A-1, modifications to the sidewalks adjacent to the eight historic resources would have no direct or indirect impact on the characteristics that qualify those resources for inclusion in the National Register or the California Register.

e. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

3) **Impact CR3: Impacts on Paleontological Resources.**

a. *Description of Project Impacts* – Construction of the project under either Alternative A-1 or A-2 would include surface changes to pavement, sidewalks, and/or curbs. However, there is little potential to affect previously undisturbed paleontological resources. In those instances where sidewalk widths would be reduced (under Alternative A-1 only), roadway base or curb lanes reconstructed, or turn pockets altered, the projected depths of subsurface work are anticipated to be very shallow with no excavation or disturbance of sub-grade below two feet. Given that the shallowest depth where significant fossil vertebrate remains may be encountered is six feet, it is anticipated that the proposed project would result in no direct or indirect impacts on paleontological resources.

b. *Proposed Mitigation* – None required.

c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant

Not Significant

d. *Rationale* – A thorough examination of paleontological locality and specimen data of the Los Angeles County Natural History Museum's Vertebrate Paleontology Section reveal that several fossil vertebrate localities lie directly along the project route area, and there are other localities nearby that occur in the same sedimentary deposits as are exposed or occur at depth in the proposed project route area. Excavations in the older Quaternary deposits throughout the entire project route area, at depths as shallow as six feet, have a good chance of uncovering significant fossil vertebrate remains. Due to previous complications of encountering tar seepage during construction related activities in portions of the project corridor, the ground disturbance proposed under either Alternative A-1 or A-2 is not anticipated to go beyond two feet below the surface. Therefore, no impacts would be anticipated to occur, and no mitigation measures are required.

e. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

7.4 Noise

1) **Impact N1: Exposure to noise levels in excess of applicable standards and to substantial permanent increase in ambient noise in the project vicinity.**

a. *Description of Project Impacts* – The project as proposed under either Alternative A-1 or A-2 would increase noise temporarily along the corridor during construction. Noise during construction would primarily be generated from construction equipment. Although a less-than-significant impact would occur, noise control measures are recommended during construction to reduce the noise levels to the extent practicable in order to minimize the impact on nearby sensitive receptors. According to the traffic noise modeling results during project operation, the project would not cause an exceedance of City of Los Angeles or County of Los Angeles noise standards or materially worsen an existing standard violation. “With Project” noise levels in both the opening year and horizon year are predicted to decrease from what they would be “Without Project” at most locations, and increase only slightly in others. Therefore, traffic noise associated with the project as proposed under either Alternative A-1 or A-2 would be considered a less-than-significant impact.

b. *Proposed Mitigation* – Although construction noise impacts would be less than significant, construction noise could adversely affect nearby residents. However, the noise would be temporary and limited to the duration of the construction. Nonetheless, the following recommended measures may be incorporated into the project contract specifications to minimize construction noise impacts:

N-1 To the extent applicable, practicable, and feasible, all noise-producing construction equipment and vehicles using internal combustion engines shall be equipped with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features in good operating condition that meet or exceed original factory specification. Mobile or fixed “package” equipment (e.g., arc-welders, air compressors) may be equipped with shrouds and noise control features that are readily available for that type of equipment.

N-2 To the extent applicable, practicable, and feasible, electrically powered equipment shall be used instead of pneumatic or internal combustion powered equipment.

N-3 The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.

N-4 No project-related public address or music system shall be audible at any adjacent receptor.

The noise control measures listed above would help in reducing the annoyance of high noise levels at adjacent noise-sensitive land uses to the extent practicable during construction.

c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant **Not Significant**

d. *Rationale* – Under either Alternative A-1 or A-2, assuming an average noise level of 89 dBA (at 50 feet distance from roadway centerline) during excavation activities for roadway reconstruction of the curb lanes, noise levels would temporarily increase by more than 15 decibels from the typical ambient daytime noise levels measured in the project area. Under Alternative A-2, construction noise impacts would not occur west of the City of Beverly Hills since the bus lanes would only extend between South Park View Street and San Vicente Boulevard. However, noise impacts from Western Avenue to Fairfax Avenue would be extended from Western Avenue to San Vicente Boulevard and from Western Avenue to Hoover Street under Alternative A-2 due to the additional resurfacing/reconstruction of the curb lanes. Although the increases in noise levels would be substantial, the increases would be intermittent and temporary during daytime hours as permitted by the City's Noise Ordinance (i.e., 7:00 a.m. to 9:00 p.m. during weekdays, and 8:00 a.m. to 6:00 p.m. on Saturdays). Therefore, it is unlikely that significant impacts on noise-sensitive uses or activities would occur.

Under both Opening Year With Project conditions and under Horizon Year With Project conditions, predicted traffic noise levels during project operation would range from approximately 67 dBA CNEL to 71 dBA CNEL at selected locations along the Wilshire corridor at a distance of 75 feet.

e. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

2) **Impact N2: Exposure to excessive groundborne vibration or groundborne noise levels.**

a. *Description of Project Impacts* – The project as proposed under either Alternative A-1 or A-2 would result in groundborne vibration or groundborne noise impacts as a result of construction activities and projected operational conditions. Vibratory compactors or rollers, pile drivers and pavement breakers can generate perceptible vibration. Heavy trucks can also generate groundborne vibration, which vary depending on vehicle type, weight, and pavement conditions. With regards to operational impacts under either Alternative A-1 or A-2, groundborne vibration in the project vicinity would continue to be generated by vehicles traveling along the local roadways, as they do in the existing condition.

b. *Proposed Mitigation* – None required.

c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant **Not Significant**

d. *Rationale* – Vibration levels due to construction activity at nearby sensitive receptors would be temporary and would be well below the significance criteria of 0.2 inches per second Peak Particle Velocity; thus, construction vibration and groundborne noise impacts would be less than significant. Under either Alternative A-1 or A-2, groundborne vibration in the project vicinity would

continue to be generated by vehicles traveling along the local roadways, as they do in the existing condition.

For Alternative A-1, only the segments of the project corridor from Bonsall Avenue to Federal Avenue and from Federal Avenue to Barrington Avenue would result in a change in the distance from the nearest travel lanes to the adjacent land uses. There are no sensitive-receptors adjacent to the south side of Wilshire Boulevard between Sepulveda Boulevard and Federal Avenue. There are also no sensitive receptors adjacent to either side of Wilshire Boulevard between Federal Avenue and Barrington Avenue. Therefore, Alternative A-1 would result in less-than-significant operational vibration impacts, and no mitigation would be required.

For Alternative A-2, there would be no change in the distance from the nearest travel lanes to the adjacent land uses along the alignment. Therefore, Alternative A-2 would result in less-than-significant operational vibration impacts, and no mitigation would be required.

- e. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

7.5 Land Use

1) Impact LU1: Compatibility with Surrounding Land Uses

- a. *Description of Project Impacts* – The project as proposed under either Alternative A-1 or A-2 would include general improvements to portions of Wilshire Boulevard. Proposed improvements would include restriping of traffic lanes, as necessary; conversion of existing curb lanes to bus lanes in each direction during peak periods; upgrade of the existing transit signal priority system; selective street widening; reconstruction/resurfacing of curb lanes in select areas; and installation of traffic/transit signage and pavement markings, as necessary, to implement dedicated peak period bus lanes. The project as proposed under either Alternative A-1 or A-2 would not result in any impacts related to compatibility with surrounding land uses.

- b. *Proposed Mitigation* – None required.

- c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant Not Significant

- d. *Rationale* – No properties would be acquired, and no land use changes would occur under either Alternative A-1 or A-2. The project components described above would occur within the Wilshire Boulevard right-of-way. The existing transportation use of the corridor would remain under either Alternative A-1 or A-2. Therefore, the project as proposed under either Alternative A-1 or A-2 is not anticipated to result in impacts related to incompatibility with surrounding land uses.

- e. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

2) **Impact LU2: Division of Existing Neighborhood**

- a. *Description of Project Impacts* – The project as proposed under either Alternative A-1 or A-2 would consist of dedicated weekday peak period bus lanes in both the eastbound and westbound directions to be achieved primarily through the conversion of existing curb lanes to peak period bus lanes. Throughout the corridor, Wilshire Boulevard is designated and zoned for transportation uses. As the project would be limited to within the public rights-of-way, the project as proposed under either Alternative A-1 or A-2 would not result in an impact related to division of an existing neighborhood.
- b. *Proposed Mitigation* – None required.
- c. *Finding* – The impact(s) prior to mitigation is/are found to be:
- Significant **Not Significant**
- d. *Rationale* – All proposed improvements would occur along Wilshire Boulevard and would not divide neighborhoods located along the corridor. No impact is anticipated to occur under project implementation.
- e. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

3) **Impact LU3: Consistency with Applicable Plans and Policies**

- a. *Description of Project Impacts* – The project consists of dedicated weekday peak period bus lanes in both the eastbound and westbound directions to be achieved primarily through the conversion of existing curb lanes to peak period bus lanes. The project would also include the restriping and widening of some existing portions of the Wilshire corridor. However, it would not result in new land uses that would affect land use plans, policies, and regulations. The proposed project or either Alternative A-1 or A-2 is anticipated to be consistent with all the local, regional, state, and federal jurisdictions and their plans for the project area.
- b. *Proposed Mitigation* – None required.
- c. *Finding* – The impact(s) prior to mitigation is/are found to be:
- Significant **Not Significant**
- d. *Rationale* – The project as proposed under either Alternative A-1 or A-2 is anticipated to be consistent with all the local, regional, state, and federal jurisdictions and their plans for the project area, including the Westlake Community Plan and Wilshire Community Plan. In addition, Alternative A-1 is also anticipated to be consistent with the Westwood Community Plan, West Los Angeles Community Plan Area, and Brentwood-Pacific Palisades Community Plan; Alternative A-2 would not extend into these community plan areas. Furthermore, the project would not conflict with any Southern California Association of Governments (SCAG) Regional Transportation Plan goals or policies. Therefore, no impacts related to consistency are anticipated.
- e. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

7.6 Aesthetics

1) **Impact A1: Substantially degrade the existing visual character or quality of the site and its surroundings.**

a. *Description of Project Impacts* – The project as proposed under either Alternative A-1 or A-2 would convert existing curb lanes on Wilshire Boulevard to bus and right-turn only operation in the peak periods on weekdays. The project under either alternative would not include structures or other elements that would potentially obstruct views of far-off scenic features or structures and places that contribute to the visual character of the corridor, such as potentially historic or historically significant cultural resources. In addition, the jut-outs would not be removed between Comstock Avenue and Malcolm Avenue, and, therefore, no trees would be removed in this area.

b. *Proposed Mitigation* – None required.

c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant

Not Significant

d. *Rationale* – Alternative A-1 would involve the extension of the eastbound left-turn pocket at Sepulveda Boulevard and street widening between Bonsall and Federal Avenues, which would affect the existing median, resulting in the removal of a number of small jacaranda trees. However, Alternative A-1 would comply with all local construction standards and guidelines, including design guidelines for roadways, streetscape, and landscaping. This alternative would not result in a substantial new amount of lighting, or shadow effects, along Wilshire Boulevard. Because this alternative involves a smaller project area and does not include the removal of jut-outs and street trees, fewer visual changes would occur than under the proposed project. Therefore, less-than-significant visual impacts would result under Alternative A-1.

Since Alternative A-2 would not involve any activities related to the implementation of bus lanes west of the City of Beverly Hills, no street widening or extension of the eastbound left-turn pocket at Sepulveda Boulevard would occur. Accordingly, this alternative would not affect the existing median or result in the removal of a number of small jacaranda trees. This alternative would comply with all local construction standards and guidelines, and as such, would not significantly affect the visual integrity of the surrounding neighborhood and streetscape/landscape along Wilshire Boulevard. Alternative A-2 would not result in a substantial new amount of lighting, or shadow effects, along Wilshire Boulevard. Because this alternative involves a smaller project area and does not include the removal of jut-outs and street trees, fewer visual changes would occur than under the proposed project. Therefore, less-than-significant visual impacts would result under Alternative A-2.

e. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

7.7 Biological Resources

1) **Impact BR1: Have a substantial adverse effect on any sensitive or special-status species.**

a. *Description of Project Impacts* – Project operation under either Alternative A-1 or A-2 would not create any new impacts related to ecologically sensitive areas and endangered species beyond existing conditions. Therefore, a less-than-significant impact related to sensitive or special status plant and animal species would occur.

b. *Proposed Mitigation* – None required.

c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant Not Significant

d. *Rationale* – Implementation of the project as proposed under either Alternative A-1 or A-2, which would involve improvements to an existing transportation corridor already used by buses and other vehicles to create peak period curbside bus lanes to accommodate existing buses, would not create any new impacts to existing biological resources, including sensitive or special-status species, in the project corridor and vicinity.

e. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

2) **Impact BR2: Interfere with wildlife movement.**

a. *Description of Project Impacts* – During project construction, there is a moderate potential for violation of the federal Migratory Bird Treaty Act and similar laws in the California Fish and Game Code protecting native birds, if any tree removal or other construction-related activities were to occur during the nesting season.

b. *Proposed Mitigation* – None required.

c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant Not Significant

d. *Rationale* – Alternative A-1 would avoid impacts to existing street trees on the jut-out sidewalk areas between Comstock Avenue and Malcolm Avenue that have been identified as potential migratory bird nesting habitat. The segment of the proposed project, where an existing eastbound left-turn pocket would be extended and the street widened between Bonsall and Federal Avenues, would involve the removal of a maximum of 30 small jacaranda trees between I-405 and Federal Avenue. However, these trees are ornamental and would not provide suitable habitat for migratory birds. Therefore, a less-than-significant impact would occur under Alternative A-1. Since the bus lanes under Alternative A-2 would only extend to San Vicente Boulevard, this alternative would avoid impacts to existing street trees on the jut-out sidewalk areas between Comstock Avenue and Malcolm Avenue that have been identified as potential migratory bird nesting habitat and

to the small jacaranda trees in the existing median west of Sepulveda Boulevard. Therefore, a less-than-significant impact would occur under Alternative A-2.

c. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

3) **Impact BR3: Conflict with local policies or ordinances protecting biological resources.**

a. *Description of Project Impacts* – Alternative A-1 would result in the removal of up to 30 small jacaranda trees between I-405 and Federal Avenue. This would potentially conflict with City of Los Angeles requirements for the preservation or replacement of street trees.

b. *Proposed Mitigation* – None required

c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant Not Significant

d. *Rationale* – Under Alternative A-1, the segment of the project, where an existing eastbound left-turn pocket would be extended and the street widened between Bonsall and Federal Avenues, would involve the removal of a maximum of 30 small jacaranda trees between I-405 and Federal Avenue. However, these trees are ornamental and would not provide suitable habitat for migratory birds. Therefore, no impacts related to conflicts with local policies or ordinances would occur. Since the bus lanes under Alternative A-2 would only extend to San Vicente Boulevard, this alternative would avoid impacts to existing street trees on the jut-out sidewalk areas between Comstock Avenue and Malcolm Avenue that have been identified as potential migratory bird nesting habitat and to the small jacaranda trees in the existing median west of Sepulveda Boulevard. Therefore, no impacts related to conflicts with local policies or ordinances would occur.

e. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

7.8 Construction

1) **Impact C1: Have a substantial adverse effect on traffic circulation during project construction.**

a. *Description of Project Impacts* – Construction vehicles would be used along the alignment to implement the project improvements identified above and would possibly impede traffic mobility in areas of construction. Traffic detours and truck routes would be required during construction. Traffic disruptions would likely occur and result in adverse effects to local traffic circulation.

b. *Proposed Mitigation* – Mitigation Measures C-1 through C-3 below would ensure that construction-related traffic impacts would be reduced to less than significant.

C-1 The City and County of Los Angeles shall prepare a traffic management plan to facilitate the flow of traffic during construction. The plan shall include the following:

- Implement diversions/detours to facilitate traffic flow throughout the construction zones;
 - Implement traffic control devices and flagmen/traffic officers, if possible, to maintain traffic flow throughout the construction zones; and
 - Implement a public outreach/education program to inform the public about the planned construction process and encourage motorists to consider alternate travel routes.
- C-2 The City and County of Los Angeles shall develop Worksite Traffic Control plans to accommodate required pedestrian and traffic movements. The plan shall include the following:
- Location of any roadway/lane or sidewalk closure;
 - Traffic detours and haul routes;
 - Hours of operation;
 - Protective devices and warning signs; and
 - Access to abutting properties.
- C-3 The City and County of Los Angeles shall develop a Construction Phasing and Staging Plan to minimize the inconvenience to businesses and motorists within the construction zones. The plan shall control the impacts of construction in any segment by limiting the areas that may be constructed at a particular time.

c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant Not Significant

For those impacts that are found to be significant, the following additional finding is made:

- Changes or alterations have been incorporated into the project that avoid or lessen the effect.
- The lead agency lacks the jurisdiction to make the changes, but another agency does have such authority.
- Specific economic, social, or other considerations make infeasible mitigation measures or project alternatives.

The impacts(s) subsequent to mitigation is/are found to be:

Significant Not Significant

d. *Rationale* – It is anticipated that construction work may temporarily reduce the capacity of, and cause delays to, the traffic flow along Wilshire Boulevard. The City and County of Los Angeles would be required to prepare and implement a

Traffic Management Plan that would best serve the mobility and safety needs of the motoring public, construction workers, businesses, and community, as well as facilitate the flow of automobile and pedestrian traffic during construction. The plan would consist of a temporary traffic control plan that addresses both the transportation operations and public information components. In order to minimize the traffic impacts to the extent possible, several mitigation measures will need to be implemented along the project corridor to help mitigate the temporary construction impact to traffic and the adjacent businesses. Some of these measures include traffic control devices and possibly flagmen and/or traffic officers, frequent street sweeping, and the implementation of diversions/detours to facilitate traffic flow throughout the construction zones. In addition, a Construction Phasing and Staging Plan would be required to control the impacts of construction in any segment by limiting the areas that may be constructed at a particular time. The goal of the construction phasing plan would be to maximize the work area under construction while minimizing the inconvenience to the businesses and motoring public. The project would be required to comply with the Holiday Moratorium, which prohibits construction work from November 15 through January 2.

A minimum of one-week advance notice would be provided to individual owners (businesses and residences), owner's agents, and tenants of buildings adjacent to work-site before impairing access to those buildings and use of adjacent public ways or prohibiting stopping and parking of vehicles. Additionally, temporary special signs would be used to mitigate the effects of construction on businesses by informing customers that merchants and other businesses are open and to provide special access directions if warranted. A minimum 3-foot pedestrian access along sidewalks would be maintained at all times.

Public awareness strategies include various methods to educate and reach out to the public, businesses, and the community concerning the project and work zone. The public component piece of the Traffic Management Plan may include organizing and hosting project briefings for area residents, local workforce, commuters and business owners; consultation with area homeowner associations, neighborhood councils, and Business Improvement Districts (BID); responding to telephone calls and e-mails; design and distribution of a project brochure; issuing construction notices to inform public of construction schedules; attending weekly construction progress meetings and reporting community concerns; working closely with affected Council Districts, as well as the Mayor's Los Angeles Business Team to mitigate concerns; issuing news releases to local media to inform public of traffic impacts; and, developing and managing a project website and/or telephone hotline.

e. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

2) **Impact C2: Exposure to air pollutant emissions during project construction.**

- a. *Description of Project Impacts* – Criteria pollutant emissions during project construction would result in a less-than-significant regional air quality impact.
- b. *Proposed Mitigation* – None required.

c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant Not Significant

d. *Rationale* – Construction of the project as proposed under either Alternative A-1 or A-2 has the potential to create air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated from construction workers traveling to and from the project site. In addition, fugitive dust emissions would result from demolition and construction activities. Mobile-source emissions, primarily NO_x, would result from the use of construction equipment. However, criteria pollutant emissions would be less than the applicable SCAQMD significance thresholds, and as such, would result in a less-than-significant regional air quality impact.

e. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

3) Impact C3: Exposure to noise levels in excess of applicable standards during project construction.

a. *Description of Project Impacts* – The project as proposed under either Alternative A-1 or A-2 would increase noise temporarily along the corridor during construction. Noise during construction would primarily be generated from construction equipment. Although a less-than-significant impact would occur, noise control measures are recommended during construction to reduce the noise levels to the extent practicable in order to minimize the impact on nearby sensitive receptors.

b. *Proposed Mitigation* – Although construction noise would be temporary and limited to the duration of project construction, Mitigation Measures N-1 through N-4 identified in Section 7.4 above may be incorporated into the project contract specifications to minimize construction noise impacts. These noise control measures would help in reducing the annoyance of high noise levels at adjacent noise-sensitive land uses to the extent practicable during construction.

c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant Not Significant

d. *Rationale* – As discussed in Section 7.4 above, under either Alternative A-1 or A-2, assuming an average noise level of 89 dBA (at 50 feet distance from roadway centerline) during excavation activities for roadway reconstruction of the curb lanes, noise levels would temporarily increase by more than 15 decibels from the typical ambient daytime noise levels measured in the project area. Under Alternative A-2, construction noise impacts would not occur west of the City of Beverly Hills since the bus lanes would only extend between South Park View Street and San Vicente Boulevard. However, noise impacts from Western Avenue to Fairfax Avenue would be extended from Western Avenue to San Vicente Boulevard and from Western Avenue to Hoover Street under Alternative A-2 due to the additional resurfacing/reconstruction of the curb lanes. Although the increases in noise levels would be substantial, the increases would be intermittent and temporary during daytime hours as permitted by the City's Noise Ordinance (i.e., 7:00 a.m. to 9:00 p.m. during weekdays, and 8:00 a.m. to

6:00 p.m. on Saturdays). Therefore, it is unlikely that significant impacts on noise-sensitive uses or activities would occur.

e. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

4) **Impact C4: Exposure to excessive groundborne vibration or groundborne noise levels during project construction.**

a. *Description of Project Impacts* – The project as proposed under either Alternative A-1 or A-2 would result in groundborne vibration or groundborne noise impacts as a result of construction activities and projected operational conditions. Vibratory compactors or rollers, pile drivers and pavement breakers can generate perceptible vibration. Heavy trucks can also generate groundborne vibration, which vary depending on vehicle type, weight, and pavement conditions.

b. *Proposed Mitigation* – None required.

c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant **Not Significant**

d. *Rationale* – Vibration levels due to construction activity at nearby sensitive receptors would be temporary and would be well below the significance criteria of 0.2 inches per second Peak Particle Velocity; thus, construction vibration and groundborne noise impacts would be less than significant.

e. *Reference* – Revised Final EIR/EA Sections 5.2.3 and 5.2.4

7.9 Cumulative Effects

1) **Impact CE1: Cumulative impacts related to traffic.**

a. *Description of Project Impacts* – The project as proposed under either Alternative A-1 or A-2 would result in regionally beneficial cumulative impacts on traffic circulation. However, the project as proposed under either Alternative A-1 or A-2 would also result in cumulatively significant localized traffic impacts under CEQA.

b. *Proposed Mitigation* – Please refer to Mitigation Measure T-1 identified in Section 7.1 above.

c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant Not Significant

For those impacts that are found to be significant, the following additional finding is made:

Changes or alterations have been incorporated into the project that avoid or lessen the effect.

- The lead agency lacks the jurisdiction to make the changes, but another agency does have such authority.
- Specific economic, social, or other considerations make infeasible mitigation measures or project alternatives.**

The impact(s) subsequent to mitigation is/are found to be:

- Significant** Not Significant

- d. *Rationale* – The project as proposed under either Alternative A-1 or A-2 would result in significant and unavoidable impacts related to the exceedance of LOS criteria for multiple intersections in both years 2012 and 2020. Under Alternative A-1, six intersections within the project study area are forecast to remain significantly affected under 2012 project conditions because no feasible mitigation measures could be identified. In addition, seven intersections are forecast to remain significantly affected under 2020 project conditions because no feasible mitigation measures could be identified. Under Alternative A-2, four intersections within the project study area are forecast to remain significantly affected under 2012 project conditions because no feasible mitigation measures could be identified. In addition, five intersections are forecast to remain significantly affected under 2020 project conditions because no feasible mitigation measures could be identified. As a result of the significant and unavoidable impacts to these local intersections, the project as proposed under either Alternative A-1 or A-2 would also result in significant and unavoidable cumulative impacts in terms of localized traffic circulation at these intersections.
- e. *Reference* – Revised Final EIR/EA Section 6.1

2) **Impact CE2: Cumulative impacts related to air quality.**

- a. *Description of Project Impacts* – The project as proposed under either Alternative A-1 or A-2 would result in cumulatively beneficial air quality impacts. Less-than-significant cumulative impacts related to criteria pollutants and GHGs would result.
- b. *Proposed Mitigation* – Please refer to Mitigation Measures AQ-1 through AQ-4 identified in Section 7.2 above.
- c. *Finding* – The impact(s) prior to mitigation is/are found to be:

- Significant** Not Significant

- d. *Rationale* – The implementation of public transit projects, such as the project as proposed under either Alternative A-1 or A-2, would enhance the efficiency of existing transit services and help to remove vehicles from roadways and freeways, decreasing the VMT and the usage of fuels. Lower automobile VMT corresponds to a reduction of criteria pollutant emissions from the vehicles. The project as proposed under either Alternative A-1 or A-2 would result in a net cumulative beneficial effect to regional air quality resulting from the increased transit ridership and the anticipated reduction in automobile use.

The project as proposed under either Alternative A-1 or A-2 would contribute to the implementation of the adopted Air Quality Management Plan. The SCAQMD's approach for assessing cumulative impacts is based on the AQMP forecasts of attainment of ambient air quality standards in accordance with the requirements of the federal and State Clean Air Acts. The project as proposed under either Alternative A-1 or A-2 would be consistent with the AQMP, which is intended to bring the Basin into attainment for all criteria pollutants.

In addition, the mass regional emissions calculated for the project as proposed under either Alternative A-1 or A-2 would not exceed applicable SCAQMD daily significance thresholds, which are designed to assist the region in attaining the applicable state and national ambient air quality standards. As such, cumulative impacts with respect to criteria pollutant emissions would be less than significant.

Moreover, the project as proposed under Alternatives A-1 and A-2 would serve to reduce GHG emissions, in comparison to existing conditions, by improving existing traffic circulation and relieving existing local congestion. Implementation of prescribed mitigation measures during construction would further reduce GHG emissions under either Alternative A-1 or A-2. As such, the project as proposed under either Alternative A-1 or A-2 would not conflict with the State's goal of reducing GHG emissions to 1990 levels by 2020. Impacts relative to GHG emissions and climate change would be less than significant. Accordingly, the contribution of the project as proposed under either Alternative A-1 or A-2 to climate change/worldwide GHG emissions would be less than significant.

e. *Reference* – Revised Final EIR/EA Section 6.1

3) **Impact CE3: Cumulative impacts related to cultural resources.**

a. *Description of Project Impacts* – The project as proposed under either Alternative A-1 or A-2 would not require construction activities that would result in the potential for subsurface cultural resources to be disturbed. Accordingly, the project as proposed under either Alternative A-1 or A-2 would result in less-than-significant impacts.

b. *Proposed Mitigation* – None required.

c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant Not Significant

d. *Rationale* – No surficial prehistoric or historic archaeological sites or features were identified in the study area. Further, no impacts on historic properties or historical resources were identified. Therefore, the project as proposed under either Alternative A-1 or A-2 would not contribute to cumulative impacts in these categories.

e. *Reference* – Revised Final EIR/EA Section 6.1

4) **Impact CE4: Cumulative impacts related to noise.**

- a. *Description of Project Impacts* - To implement the project as proposed under either Alternative A-1 or A-2, curb lanes would be repaired or reconstructed, where necessary, and restriped and signed as peak period bus lanes. In other areas, curbside bus lanes would be added as new lanes to Wilshire Boulevard by street widening. These project elements, however, would not require major construction work, and construction vibration and groundborne noise impacts would be less than significant.
- b. *Proposed Mitigation* - Please refer to Mitigation Measure N-1 through N-4 identified in Section 7.4 above.
- c. *Finding* - The impact(s) prior to mitigation is/are found to be:
- Significant Not Significant
- d. *Rationale* - The project as proposed under either Alternative A-1 or A-2 would increase noise temporarily along the corridor during construction. Noise during construction would primarily be generated from construction equipment. Although a less-than-significant impact would occur, noise control measures are recommended during construction to reduce the noise levels to the extent practicable in order to minimize the impact on nearby sensitive receptors. According to the traffic noise modeling results during project operation, the project as proposed under either Alternative A-1 or A-2 would not cause an exceedance of City of Los Angeles or County of Los Angeles noise standards or materially worsen an existing standard violation and, as such, would not result in a significant cumulative noise impact.
- e. *Reference* - Revised Final EIR/EA Section 6.1

5) **Impact CE5: Cumulative impacts related to land use.**

- a. *Description of Project Impacts* - The project as proposed under either Alternative A-1 or A-2 would include general improvements to portions of Wilshire Boulevard. Proposed improvements under either Alternative A-1 or A-2 would include restriping of traffic lanes, as necessary; conversion of existing curb lanes to bus lanes in each direction during peak periods; upgrade of the existing transit signal priority system; selective street widening; reconstruction/resurfacing of curb lanes in select areas; and installation of traffic/transit signage and pavement markings, as necessary, to implement dedicated peak period bus lanes. The project as proposed under either Alternative A-1 or A-2 would not result in any land use impacts.
- b. *Proposed Mitigation* - None required.
- c. *Finding* - The impact(s) prior to mitigation is/are found to be:
- Significant Not Significant
- d. *Rationale* - A series of general improvements would be made to Wilshire Boulevard, including the conversion of existing curb lanes to bus lanes and the

upgrading of the existing transit signal priority system. These project elements, however, would not require major construction work. The project as proposed under either Alternative A-1 or A-2 would not result in divisions of existing communities or significant conflicts with any applicable land use plan, policy, regulation, habitat conservation plan, or natural community conservation plan. In addition, the project as proposed under either Alternative A-1 or A-2 would not result in any land use compatibility conflicts, which could have the potential to result in significant changes to the existing land use pattern. Therefore, there are no cumulative impacts to local land use plans or policies resulting from the project as proposed under either Alternative A-1 or A-2.

e. *Reference* – Revised Final EIR/EA Section 6.1

6) **Impact CE6: Cumulative impacts related to aesthetics, particularly regarding the loss of trees.**

a. *Description of Project Impacts* – The project as proposed under either Alternative A-1 or A-2 would convert existing curb lanes on Wilshire Boulevard to bus and right-turn only operation in the peak periods on weekdays. The segment of the proposed project, where an existing eastbound left-turn pocket would be extended and the street widened between Bonsall and Federal Avenues under Alternative A-1, would involve the removal of a maximum of 30 small jacaranda trees between I-405 and Federal Avenue. However, these trees are ornamental and would not provide suitable habitat for migratory birds. Since the bus lanes under Alternative A-2 would only extend to San Vicente Boulevard, this alternative would avoid impacts to the jacaranda trees in the existing median west of Sepulveda Boulevard.

b. *Proposed Mitigation* – None required.

c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant

Not Significant

d. *Rationale* – The proposed improvements under either Alternative A-1 or A-2 would comply with all local construction standards and guidelines, including design guidelines for roadways, streetscape, and landscaping. This would ensure a less-than-significant cumulative impact would occur relative to potential impacts to the visual character of the project site.

e. *Reference* – Revised Final EIR/EA Section 6.1

7) **Impact CE7: Cumulative impacts related to biological resources, particularly regarding the loss of trees.**

a. *Description of Project Impacts* – The segment of the proposed project, where an existing eastbound left-turn pocket would be extended and the street widened between Bonsall and Federal Avenues under Alternative A-1, would involve the removal of a maximum of 30 small jacaranda trees between I-405 and Federal Avenue. Since the bus lanes under Alternative A-2 would only extend to San Vicente Boulevard, this alternative would avoid impacts to the jacaranda trees in the existing median west of Sepulveda Boulevard.

- b. *Proposed Mitigation* – None required.
- c. *Finding* – The impact(s) prior to mitigation is/are found to be:
- Significant Not Significant
- d. *Rationale* – The jacaranda trees between Bonsall and Federal Avenues are ornamental and would not provide suitable habitat for migratory birds. Therefore, no cumulative impacts related to conflicts with local policies or ordinances would occur.
- e. *Reference* – Revised Final EIR/EA Section 6.1

7.10 Irreversible and Irretrievable Commitment of Resources Effects

- a. *Description of Project Impacts* – The construction and implementation of the project as proposed under either Alternative A-1 or A-2 would entail the irreversible and irretrievable commitment of some energy and human resources, including labor required for the planning, design, construction and operation of the project.
- b. *Proposed Mitigation* – None required.
- c. *Finding* – The impact(s) prior to mitigation is/are found to be:
- Significant Not Significant
- d. *Rationale* – The construction and implementation of the project as proposed under either Alternative A-1 or A-2 would entail the irreversible and irretrievable commitment of the following resources:
- Consumption of nonrenewable energy resources as a result of operation and maintenance of the proposed transportation improvements, even if energy rates do not exceed existing use rates;
 - Commitment of natural resources during minor construction activities associated with the project as proposed under either Alternative A-1 or A-2, including the consumption of fossil fuels and the use of construction materials, and
 - Removal of a maximum of 30 small jacaranda trees in the median of Wilshire Boulevard between I-405 and Federal Avenue during construction of the project under Alternative A-1. However, Alternative A-1 would comply with all local construction standards and guidelines, including design guidelines for roadways, streetscape, and landscaping to ensure that new street trees are planted, wherever feasible, to replace those removed during construction.

However, implementation of public transit improvement projects, such as the project as proposed under either Alternative A-1 or A-2, would help remove vehicles from roadways and freeways, easing the increase in vehicle miles

traveled (VMT) and the usage of fuels. The project as proposed under either Alternative A-1 or A-2 would result in less energy consumption and, as such, would result in a beneficial energy impact.

- c. *Reference* – Revised Final EIR/EA Section 6.3

7.11 Growth Inducement Effects

- a. *Description of Project Impacts* – The project as proposed under either Alternative A-1 or A-2 would not spur new regional growth in terms of population or employment and would not result in significant growth-inducing impacts.

- b. *Proposed Mitigation* – None required.

- c. *Finding* – The impact(s) prior to mitigation is/are found to be:

Significant Not Significant

- d. *Rationale* – The project as proposed under either Alternative A-1 or A-2 is a transportation enhancement project aimed at improving the efficiency of an existing transit system; it is not a significant new development project. In addition, the project as proposed under either Alternative A-1 or A-2 involves minimal construction activities and is not anticipated to create a significant number of permanent jobs. Accordingly, the project would not result in significant growth-inducing impacts.

- e. *Reference* – Revised Final EIR/EA Section 6.4

8.0 Statement of Overriding Considerations

This section provides the rationale to support a determination by LACMTA, as lead agency under CEQA, that the benefits of the project as proposed under either Alternative A-1 or A-2 outweigh the significant unavoidable environmental effects that have been anticipated to occur. This discussion, which is required by Section 15093 of the CEQA Guidelines, is organized into two subsections. In the first subsection, the significant unavoidable effects are identified, and in the second subsection, the reasons in support of the determination are presented.

8.1 Significant Unavoidable Impacts

The project as proposed under either Alternative A-1 or A-2 would result in adverse traffic impacts that may not be avoided or mitigated. These significant unavoidable traffic impacts are identified below.

As discussed in Section 5.2.3 of the Revised Final EIR/EA, the following six intersections are forecast to remain significantly affected under 2012 project conditions under Alternative A-1 because no feasible mitigation measures that would fully reduce impacts to less-than-significant levels could be identified:

- Bundy Drive/Wilshire Boulevard;
- Overland Avenue/Santa Monica Boulevard;
- Beverly Glen Boulevard/Santa Monica Boulevard;
- Westwood Boulevard/Pico Boulevard;
- Fairfax Avenue/Wilshire Boulevard; and
- La Brea Avenue/Wilshire Boulevard.

The following seven intersections are forecast to remain significantly affected under 2020 project conditions under Alternative A-1 because no feasible mitigation measures that would fully reduce impacts to less-than-significant levels could be identified:

- Veteran Avenue/Sunset Boulevard;
- Bundy Drive/Wilshire Boulevard;
- Overland Avenue/Santa Monica Boulevard;
- Westwood Boulevard/Pico Boulevard;
- Overland Avenue/Pico Boulevard;
- Fairfax Avenue/Wilshire Boulevard; and
- La Brea Avenue/Wilshire Boulevard.

As discussed in Section 5.2.4 of the Revised Final EIR/EA, the following five intersections are forecast to remain significantly affected under 2012 project conditions under Alternative A-2 because no feasible mitigation measures that would fully reduce impacts to less-than-significant levels could be identified:

- Veteran Avenue/Sunset Boulevard;
- Overland Avenue/Santa Monica Boulevard;
- Westwood Boulevard/Pico Boulevard;
- Fairfax Avenue/Wilshire Boulevard; and
- La Brea Avenue/Wilshire Boulevard.

The following three intersections are forecast to remain significantly affected under 2020 project conditions under Alternative A-2 because no feasible mitigation measures that would fully reduce impacts to less-than-significant levels could be identified:

- Overland Avenue/Pico Boulevard;
- Fairfax Avenue/Wilshire Boulevard; and
- La Brea Avenue/Wilshire Boulevard

For Years 2012 and 2020, a total of eight intersections are forecast to remain significantly affected after mitigation under Alternative A-1, and a total of six intersections are forecast to remain significantly affected after mitigation under Alternative A-2. As a result of the significant and unavoidable impacts to these local intersections within the project study area, the project as proposed under either Alternative A-1 or A-2 would also result in significant

and unavoidable cumulative impacts in terms of localized traffic circulation at these intersections.

8.2 Determination

The LACMTA has determined that the overall benefits of the Wilshire BRT Project as proposed under either Alternative A-1 or A-2 outweigh and override the significant unavoidable traffic impacts at the intersections identified above. It should be noted that most of the delays at the intersections would be 15 seconds or less, but because the intersections are already operating at unacceptable levels of service, the established local threshold is very low and triggers a significant local impact resulting from delays as low as 2.5 seconds. Under Alternative A-1, delays of over 15 seconds would occur at only 2 of the 74 intersections in 2012 and 2020 (Bundy Drive at Wilshire Boulevard and Fairfax Avenue at Wilshire Boulevard). Under Alternative A-2, a delay of over 15 seconds would occur at only 1 of the 74 intersections in 2012 and 2020 (Fairfax Avenue at Wilshire Boulevard).

As stated previously, the Revised Final EIR/EA determined the refinements to Alternative A, Alternatives A-1 and A-2, to be equally feasible. Also, the project, as proposed under either Alternative A-1 or A-2, would only result in significant and unavoidable impacts with respect to localized traffic impacts at certain intersections. Alternative A-2 was identified as the environmentally superior alternative because it would have lesser overall impacts than Alternative A-1; however, Alternative A-1, would more fully meet the goals and objectives of the project and provide greater benefits than Alternative A-2. Accordingly, Alternative A-1 has been selected by the LACMTA Board as the preferred alternative.

The reasons supporting this determination are as follows:

- Bus lanes are a key attribute of Bus Rapid Transit. Bus lanes make transit usage more attractive by reducing transit travel times, increasing service reliability, and improving safety.
- The Wilshire BRT Project would improve bus passenger travel times by allowing buses to travel in dedicated peak-period bus lanes for the majority of the alignment between South Park View Street to the east and Centinela Avenue to the west.
- The Wilshire BRT Project would improve bus service reliability by separating buses from the already high levels of traffic congestion and intersection delays experienced along the corridor. By providing bus lanes during the peak periods when traffic is at its worst, travel times would remain relatively constant due to the bus lanes' separation from mixed-flow traffic.
- The Wilshire BRT Project would improve traffic flow along Wilshire Boulevard.
- Reconstruction of the curb lanes along damaged portions of Wilshire Boulevard would allow their effective use by buses during peak periods and by both buses and automobiles during non-peak periods to improve traffic flow along Wilshire Boulevard. This improvement would allow the curb lanes to be better utilized, help keep buses and autos moving along the corridor without the need to slow down significantly for large potholes, improve safety by reducing the need for vehicles to change lanes, avoid damage to transit vehicles and autos, and provide Metro riders with a much more pleasant transit

experience. This improvement, in combination with the other project improvements, would assure the corridor's immediate and long-term success as a major transit facility.

- The improved bus passenger travel times and bus service reliability would encourage a shift from automobile use to public transit by continuing to attract new transit riders.
- The Wilshire BRT Project would improve air quality in Los Angeles County with the reduction in mobile source emissions resulting from a mode shift from automobile use to bus use.
- Beyond the Wilshire corridor, the Wilshire BRT Project would be expected to result in a beneficial effect on traffic in the metropolitan Los Angeles, particularly within the Mid-City and Westside areas, through the increased efficiency and public utilization of the Wilshire BRT system.
- The Wilshire BRT Project would increase person-throughput with the implementation of bus lanes as compared to mixed-flow curb lanes. Currently, the curb lanes can carry a maximum of 800 cars per lane per hour. With the correct average occupancy of 1.32 persons per car, the existing total person throughput with cars is 1,056 persons per lane per hour. When converted to bus lanes, the curb lanes would carry approximately 30 buses per lane per hour. The average passenger load is approximately 50 persons per bus during peak hours for the popular Metro Rapid Lines 720 and Local Line 20 on Wilshire Boulevard. This would yield 1,500 persons per lane per hour for buses in each curbside bus lane. The person throughput with bus lanes (1,500) is, therefore, superior to that of mixed-flow lanes (1,056) during peak hours. This does not incorporate expected increases in bus ridership on Wilshire Boulevard after the bus lanes are implemented, which would further improve the bus lanes' person throughput. Person throughput could potentially increase anywhere from 1,725 to 1,800 persons per lane per hour for buses in each curbside bus lane.
- The Wilshire BRT Project would improve safety by reducing merge conflicts between buses and mixed-flow vehicles and by reducing the two highest causes of accidents, which involve cars hitting buses while at a bus stop or while trying to get around them.

Therefore, despite localized traffic impacts, within the larger context of the Wilshire corridor and the City of Los Angeles, the economic, legal, social, technological, and other benefits of the project as proposed under either Alternative A-1 or A-2 outweigh its significant unavoidable environmental effects.

Attachment C

**County Board of Supervisors Approval
of Wilshire BRT Project**

Attachment C



COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

July 05, 2011

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

36

July 5, 2011

Dear Supervisors:

WILSHIRE BUS RAPID TRANSIT PROJECT COUNTY UNINCORPORATED VETERANS ADMINISTRATION COMMUNITY (SUPERVISORIAL DISTRICT 3) (3 VOTES)

SUBJECT

This action is to consider the Revised Final Environmental Impact Report/Environmental Assessment and adopt the Mitigation Monitoring and Reporting Program and the Environmental Findings of Fact and Statement of Overriding Considerations for the proposed Wilshire Bus Rapid Transit Project and to authorize the Department of Public Works to carry out the portion of the project within the County of Los Angeles unincorporated Veterans Administration community.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Acting as a responsible agency for the proposed Wilshire Bus Rapid Transit Project, consider the Revised Final Environmental Impact Report/ Environmental Assessment prepared and certified by the Los Angeles County Metropolitan Transportation Authority as lead agency for the project; certify that your Board has independently considered and reached its own conclusions regarding the environmental effects of the proposed project as shown in the Revised Final Environmental Impact Report/Environmental Assessment; adopt the Mitigation Monitoring and Reporting Program and the Environmental Findings of Fact and Statement of Overriding Considerations, finding that the Mitigation Monitoring and Reporting Program is adequately designed to ensure compliance with the mitigation measures during project implementation; find that there are no further feasible alternatives or feasible mitigation measures within your Board's power that would substantially lessen or avoid any significant effect the project would have on the environment; and determine that the significant adverse effects of the project have either been reduced to an acceptable level or are outweighed by

the specific consideration of the project as outlined in the Findings of Fact and Statement of Overriding Considerations, which findings and statement are adopted and incorporated herein by reference.

2. Approve the project and authorize the Department of Public Works to carry out the portion of the project on Wilshire Boulevard between Veterans Avenue and Federal Avenue within the County of Los Angeles unincorporated Veterans Administration community including right-of-way acquisition and construction.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to adopt the required Mitigation Monitoring and Reporting Program (MMRP) and the Environmental Findings of Fact and Statement of Overriding Considerations and authorize the Department of Public Works (Public Works) to carry out the portion of the Los Angeles County Metropolitan Transit Authority (LACMTA) project within the County of Los Angeles (County) unincorporated Veterans Administration community.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). By supporting the collaborative efforts of LACMTA, the City of Los Angeles, and the County in improving transit services, the traveling public will benefit.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The total cost of the project is estimated to be \$31,500,000, which will be financed with \$23,300,000 in Federal Transit Administration Very Small Starts Section 5309 grant funds; \$4,900,000 in LACMTA Proposition C 25 percent grant funds; and \$3,300,000 in City of Los Angeles local funds. At this time, it is anticipated that the overall project will be administered by the City of Los Angeles and there will be no impact on County operating funds.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Wilshire Bus Rapid Transit Project consists of installing curbside peak-period bus lanes in the City of Los Angeles and County. Proposed improvements along Wilshire Boulevard include restriping of traffic lanes; conversion of existing curb lanes in each direction to bus lanes during peak periods; upgrading the existing transit signal priority system; reconstructing/resurfacing the roadway pavement in curb lanes; some street widening; and installation of traffic/transit signage and pavement markings.

The LACMTA Board adopted Alternative A-1 of the Revised Final Environmental Impact Report/Environmental Assessment (EIR/EA) as the Locally Preferred Alternative (LPA) on May 26, 2011. Alternative A-1 was also approved by the Los Angeles City Council on June 14, 2011. The segment of the project within unincorporated County jurisdiction under Alternative A-1 is the same as under Alternative A. Accordingly, approval of the Revised Final EIR/EA by your Board will constitute approval of Alternative A-1 and Alternative A with respect to the work within the unincorporated County area.

ENVIRONMENTAL DOCUMENTATION

In approving the portion of the project within unincorporated County area, the County, through Public Works, is acting as a responsible agency under the California Environmental Quality Act (CEQA). LACMTA, as lead agency, prepared a Draft EIR, consulted with the County, and certified a Revised Final EIR/EA for this project on May 26, 2011. The environmental document is a dual document with a Final EIR for compliance with CEQA and an EA for compliance with the National Environmental Policy Act (NEPA). The County's approval of the portion of the roadway improvements within County jurisdiction will not have a significant effect on the environment.

Upon your Board's approval of the project, Public Works will file a Notice of Determination with the Registrar Recorder/County Clerk in accordance with Section 21152(a) of the California Public Resources Code and pay the required processing fee with the County Clerk in the amount of \$75.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This project will result in improved public transit services in the Wilshire corridor for the benefit of the traveling public.

CONCLUSION

Please return one adopted copy of this letter to Department of Public Works, Programs Development Division.

Respectfully submitted,



GAIL FARBER

Director

GF:JTW:pr

Enclosure

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

Attachment D

Scope of Work

Attachment D

LACMTA-LACDPW Wilshire Bus Rapid Transit (BRT) Project Scope of Work

The Wilshire Bus Rapid Transit (BRT) Project is a cooperative effort between the Los Angeles County Metropolitan Transportation Authority (LACMTA) and the Los Angeles County Department of Public Works (LACDPW). The project spans approximately 12.5 miles along Wilshire Boulevard to provide weekday peak period (7 a.m. to 9 a.m. and 4 p.m. to 7 p.m.) bus lanes at various segments between the western edge of downtown Los Angeles at Valencia Street to the eastern boundary of the City of Santa Monica at Centinela Avenue. This scope of work describes only the improvements to 0.8 miles of the project that are located within the unincorporated territory of Los Angeles County.

Wilshire Boulevard is the most heavily used transit corridor in Los Angeles County with over 80,000 daily boardings. In addition to being an important transit corridor, Wilshire also has some of the highest average daily traffic volumes in the City of Los Angeles. With increasing ADT counts on Wilshire Boulevard, demands for viable alternatives to the automobile have increased as congestion continues to slow automobile travel. This same congestion also slows buses, increasing travel time, and reducing schedule reliability for transit customers, while increasing operating costs for LACMTA.

When implemented, bus passenger travel times are expected to improve by an average of 24% and up to a 10% mode shift from mixed flow to bus use is projected. Based on the bus travel time improvements and associated ridership increases experienced with the Metro Rapid Program to date, transit ridership along the Wilshire corridor is anticipated to increase by 15% to 20%. Moreover, the project also seeks to 1) encourage a shift from automobile use to public transit, 2) improve air quality with the reduction in mobile source emissions, and 3) minimize impacts to existing on-street parking.

The WBRT Project in the unincorporated County portion requires a variety of necessary improvements. The work consists of all street widening, sidewalk and median modification, and transitions back to existing roadway approaches to the portion of Wilshire Boulevard on County land between Federal Avenue and Veteran Avenue.

Primary Project Components:

- Widen Wilshire Boulevard between Federal Avenue and Bonsall Avenue by reducing the sidewalk widths on both sides of Wilshire Boulevard in order to create a new eastbound peak period bus lane along this segment.
- Traffic lane restriping and the addition of an eastbound bus lane between Federal Avenue and Bonsall Avenue, including adjustments of geometrics and traffic signals,

Attachment D

LACMTA-LACDPW Wilshire Bus Rapid Transit (BRT) Project Scope of Work

The Wilshire Bus Rapid Transit (BRT) Project is a cooperative effort between the Los Angeles County Metropolitan Transportation Authority (LACMTA) and the Los Angeles County Department of Public Works (LACDPW). The project spans approximately 12.5 miles along Wilshire Boulevard to provide weekday peak period (7 a.m. to 9 a.m. and 4 p.m. to 7 p.m.) bus lanes at various segments between the western edge of downtown Los Angeles at Valencia Street to the eastern boundary of the City of Santa Monica at Centinela Avenue. This scope of work describes only the improvements to 0.8 miles of the project that are located within the unincorporated territory of the Los Angeles County.

Wilshire Boulevard is the most heavily used transit corridor in Los Angeles County with over 80,000 daily boardings. In addition to being an important transit corridor, Wilshire also has some of the highest average daily traffic volumes in the City of Los Angeles. With increasing ADT counts on Wilshire Boulevard, demands for viable alternatives to the automobile have increased as congestion continues to slow automobile travel. This same congestion also slows buses, increasing travel time, and reducing schedule reliability for transit customers, while increasing operating costs for LACMTA.

When implemented, bus passenger travel times are expected to improve by an average of 24% and up to a 10% mode shift from mixed flow to bus use is projected. Based on the bus travel time improvements and associated ridership increases experienced with the Metro Rapid Program to date, transit ridership along the Wilshire corridor is anticipated to increase by 15% to 20%. Moreover, the project also seeks to 1) encourage a shift from automobile use to public transit, 2) improve air quality with the reduction in mobile source emissions, and 3) minimize impacts to existing on-street parking.

The WBRT Project in the unincorporated County portion requires a variety of necessary improvements. The work consists of all street widening, sidewalk and median modification, and transitions back to existing roadway approaches to the portion of Wilshire Boulevard on County land between Federal Avenue and Veteran Avenue.

Primary Project Components:

- Widen Wilshire Boulevard between Federal Avenue and Bonsall Avenue by reducing the sidewalk widths on both sides of Wilshire Boulevard in order to create a new eastbound peak period bus lane along this segment.

- Traffic lane restriping and the addition of an eastbound bus lane between Federal Avenue and Bonsall Avenue, including adjustments of geometrics and traffic signals, signage, and markings in the Federal Avenue to Sepulveda Boulevard segment and approaches.
- Extension of the eastbound left-turn pocket at Sepulveda Boulevard by approximately 470 feet.
- Realign center median between Bonsall Avenue and Sepulveda Boulevard to accommodate the extension of the eastbound left-turn pocket at Sepulveda Boulevard.
- Implement construction mitigations identified in the adopted Mitigation and Monitoring Report Program that includes such things as the development of Worksite Traffic Control plans to accommodate required pedestrian and traffic movements and traffic management plan.
- Conduct construction public outreach program and public awareness outreach prior to the project opening to the public.

Project Budget:

Funding Sources

• Federal Very Small Starts	\$2.34 million
• Metro Proposition C 25%	<u>\$0.82 million</u>
Total Project Budget	\$3.16 million

Project Milestones:

Preliminary/Final Design	Start Date: Jul. 1, 2011 End Date: June 30, 2012
Construction	Start Date: July 1, 2012 End Date: Dec 31, 2013

Attachment E

Funding Plan

Attachment E

**LACMTA AND LACDPW
Wilshire Bus Rapid Transit Project**

FUNDING PLAN

Sources of Funds	PRIOR	FY 2012	FY 2013	FY 2014	FY 2015	TOTAL
Federal						
Federal Section 5309	148,000	203,500	276,020	1,169,200	551,407	2,348,127
LACMTA Local Match						
Proposition C 25%	52,000	71,500	96,980	410,800	193,738	825,018
TOTAL BUDGET	200,000	275,000	373,000	1,580,000	745,145	3,173,145

Attachment F

Expenditure Plan

Attachment F
 LAGMTA AND LACDPW
 Wilshire Bus Rapid Transit Project
 EXPENDITURE PLAN

Description	Prior	FY 2012				FY 2013				FY 2014				FY 2015		TOTAL
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	
Design & Engineering	200,000	70,000	60,000	60,000	60,000	10,000	10,000	10,000								480,000
Street Widening: Federal to Bonsall									260,000	220,000	220,000					700,000
Left Turn Pocket Extension on Wilshire at Sepulveda												100,000	100,000	100,000	100,000	400,000
Center Median Realignment												300,000	300,000	300,000	113,145	1,013,145
Construction Management									40,000	40,000	40,000	40,000	40,000	20,000	20,000	240,000
Contingency		7,000	6,000	6,000	6,000	1,000	1,000	1,000	40,000	36,000	36,000	54,000	54,000	52,000	40,000	340,000
TOTAL	200,000	77,000	66,000	66,000	66,000	11,000	11,000	11,000	340,000	286,000	296,000	494,000	494,000	472,000	273,145	3,173,145

Attachment G

Project Schedule

Attachment G

**LACMTA AND LACDPW
Wilshire Bus Rapid Transit Project**

PROJECT SCHEDULE

Description	Prior	FY 2012				FY 2013				FY 2014				FY 2015	
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
Design & Engineering															
Street Widening: Federal to Bonsall															
Left Turn Pocket Extension on Wilshire at Sepulveda															
Center Median Realignment															
Construction Management															
Contingency															

Attachment H

Quarterly Progress/Expense Report

Attachment H

LACMTA MOU

QUARTERLY PROGRESS / EXPENSE REPORT

Grantee To Complete	
Invoice #	
Invoice Date	
MOU#	
Quarterly Report #	

PROJECT SPONSORS ARE REQUESTED TO SUBMIT THIS REPORT TO THE **METRO PROJECT MANAGER RESPONSIBLE FOR THIS PROJECT** during or after the close of each month. Please note that letters or other forms of documentation may not be substituted for this form. Refer to the Reporting & Expenditure Guidelines (Attachment I) for further information.

SECTION 1: QUARTERLY EXPENSE REPORT

Please itemize grant-related charges for this Quarter on Page 5 of this report and include totals in this Section.

	FTA Sec. 5309 74%	MTA PC 25% 26%		Total \$
Project Quarter Expenditure:				
This Quarter Expenditure				
Retention Amount				
Net Invoice Amount (Less Retention)				
Project-to-Date Expenditure:				
Funds Expended to Date (Include this Quarter)				
Total Project Budget				
% of Project Budget Expended to Date				
Balance Remaining				

SECTION 2: GENERAL INFORMATION

PROJECT TITLE: _____

MOU #: _____

QUARTERLY REPORT SUBMITTED FOR:

- Fiscal Year :* 2009-2010 2010-2011 2011-2012
 2012-2013 2013-2014 2014-2015
- Quarter :* Q1: Jul - Sep Q2: Oct - Dec
 Q3: Jan - Mar Q4: Apr - Jun

DATE SUBMITTED: _____

LACMTA Project Mgr.	Name:	
	Area Team:	
	Phone Number:	
	e-mail:	

Project Sponsor Contact / Project Manager	Contact Name:	
	Job Title:	
	Department:	
	City / Agency:	
	Mailing Address:	
	Phone Number:	
	e-mail:	

SECTION 3 : QUARTERLY PROGRESS REPORT

1. DELIVERABLES & MILESTONES

List all deliverables and milestones as stated in the MOU, with start and end dates. Calculate the total project duration. **DO NOT CHANGE THE ORIGINAL MOU MILESTONE START AND END DATES SHOWN IN THE 2ND AND 3RD COLUMNS BELOW.**

Grantees must make every effort to accurately portray milestone dates in the original MOU Scope of Work, since this will provide the basis for calculating any project delay. If milestone start and/or end dates change from those stated in the Original MOU Scope of Work, indicate the new dates under Actual Schedule below and re-calculate the project duration. However, this does not change the original milestones in your MOU. **PER YOUR MOU AGREEMENT, ANY CHANGES TO THE PROJECT SCHEDULE MUST BE FORMALLY SUBMITTED UNDER SEPARATE COVER TO LACMTA FOR WRITTEN CONCURRENCE.**

MOU Milestones	Original MOU Schedule in Scope of Work		Actual Schedule	
	Start Date	End Date	Start Date	End Date
Total Project Duration (Months)				

2. PROJECT COMPLETION

A. Based on the comparison of the original and actual project milestone schedules above, project is (select only one) :

- On schedule per original MOU schedule
 Less than 12 months behind original schedule
 Between 12-24 months behind original schedule
 More than 24 months behind original schedule

B. Was the project design started within 6 months of the date originally stated in the MOU?

- Yes
 No
 Not Applicable

C. Was a construction contract or capital purchase executed within 9 months after completion of design / specifications?

- Yes
 No
 Not Applicable

3. TASKS / MILESTONES ACCOMPLISHED

List tasks or milestones accomplished and progress made this quarter.

4. PROJECT DELAY

If project is delayed, describe reasons for delay (this quarter). Pay particular attention to schedule delays. If delay is for the same reason as mentioned in previous quarters, please indicate by writing "Same as Previous Quarter".

5. ACTION ITEMS TO RESOLVE DELAY

If the project is delayed (as described in #4), include action items that have been, or will be, undertaken to resolve the delay.

SECTION 4: ITEMIZED LISTING OF EXPENSES AND CHARGES THIS QUARTER

All expenses and charges, including grant and local match, must be itemized and listed below. Each item listed must be verifiable by an invoice and/or other proper documentation. The total amounts shown here must be equal to this quarter's expenditures listed on page 1 of this report. All expenses and charges must be reflective of the approved budget and rates as shown in the MOU Scope of Work, Funding Plan, and Expenditure Plan. Use additional pages if needed.

ITEM	INVOICE #	TOTAL EXPENSES / CHARGES	\$ CHARGED TO LACMTA GRANT	\$ CHARGED TO LOCAL MATCH
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
TOTAL				

Notes:

- Local match spent in each quarter, must be in the appropriate proportion to LACMTA grant.
- All receipts, invoices, and time sheets, attached and included with this Expense Report must be listed and shown under the Invoice Number column of the Itemized Listing (above).

Invoice Payment Information:

LACMTA will make all disbursements electronically unless an exception is requested in writing.
 ACH Payments require that you complete an ACH Request Form and fax it to Accounts Payable at 213-922-6107.
 ACH Request Forms can be found at www.metro.net/callforprojects.
 Written exception requests for Check Payments should be completed and faxed to Accounts Payable at 213-922-6107.

I certify that I am the responsible Project Manager or fiscal officer and representative of the **Los Angeles County Department of Public Works** and that to the best of my knowledge and belief the information stated in this report is true and correct.

Signature

Date

Name

Title

Attachment I

Reporting & Expenditure Guidelines

Attachment I

REPORTING & EXPENDITURE GUIDELINES

REPORTING PROCEDURES

- Quarterly Progress Report (Attachment H) is required for all projects. The Grantee shall be subject to and comply with all applicable requirements of the funding agency regarding project-reporting requirements. In addition, Grantee will submit a quarterly report to the LACMTA Project Manager. Please note that letters or other forms of documentation may **not** be substituted for this form.

- The Quarterly Progress/Expenditure Report covers all activities related to the project and lists all costs incurred. It is essential that Grantee provide complete and adequate response to all the questions. The expenses listed must be supported by appropriate documentation with a clear explanation of the purpose and relevance of each expense to the project. Expenses must reflect the proportionate share of local match, including in-kind, charged to the grant.

- In cases where there are no activities to report, or problems causing delays, clear explanation, including actions to remedy the situation, must be provided.

- Grantees are required to track and report on the project schedule. LACMTA will monitor the timely use of funds and delivery of projects. Project delay, if any, must be reported each quarter. Projects not delivered in a timely manner will be reevaluated by LACMTA as part of the annual Call for Projects Recertification process and the Funds may be deobligated and reprogrammed by the LACMTA Board.

- The Quarterly Progress/Expenditure Report is due to the LACMTA as soon as possible after the close of each quarter, but no later than the following dates for each fiscal year:

<i>Quarter</i>	<i>Report Due Date</i>
July –September	October 31
October - December	January 31
January - March	April 30
April - June	July 31

Upon completion of the Project a final report that includes project’s final evaluation must be submitted.

EXPENDITURE GUIDELINES

- Any activity or expense charged above and beyond the approved Scope of Work (Attachment D) **is considered ineligible** and will not be reimbursed by the LACMTA unless **prior written authorization** has been granted by the LACMTA Chief Executive Officer or his designee.
- Any expense charged to the grant or local match, including in-kind, must be clearly and directly related to the project.
- Any activity or expense charged as local match cannot be applied to any other LACMTA-funded or non-LACMTA-funded projects; activities or expenses related to a previously funded project cannot be used as local match for the current project.
- Administrative cost is the ongoing expense incurred by the Grantee for the duration of the project and for the direct benefit of the project as specified in the Scope-of-Work (Attachment D). Examples of administrative costs are personnel, office supplies, and equipment. As a condition for eligibility, all costs must be necessary for maintaining, monitoring, coordinating, reporting and budgeting of the project. Additionally, expenses must be reasonable and appropriate to the activities related to the project.
- LACMTA is not responsible for, and will not reimburse any costs incurred by the Grantee prior to the execution of the MOU, unless **written authorization** has been granted by the LACMTA Chief Executive Officer or her designee.
- The MOU is considered executed when the LACMTA Chief Executive Officer or her designee signs the document.

DEFINITIONS

- **Local Participation:** Where local participation consists of “in-kind” contributions rather than funds, the following contributions may be included:
 - Costs incurred by a local jurisdiction to successfully complete the project. Examples include engineering, design, rights-of-way purchase, and construction management costs.
 - Donations of land, building space, supplies, equipment, loaned equipment, or loaned building space dedicated to the project.
 - Donations of volunteer services dedicated to the project.
 - A third-party contribution of services, land, building space, supplies or equipment dedicated to the project.
- **Allowable Cost:** To be allowable, costs must be reasonable, recognized as ordinary and necessary, consistent with established practices of the organization, and consistent with industry standard of pay for work classification.

- Excessive Cost: Any expense deemed “excessive” by LACMTA staff would be adjusted to reflect a “reasonable and customary” level. For detail definition of “reasonable cost”, please refer to the Federal Register *OMB Circulars A-87 Cost Principals for State and Local Governments; and A-122 Cost Principals for Nonprofit Organizations*.
- In-eligible Expenditures: Any activity or expense charged above and beyond the approved Scope-of-Work is considered in eligible.

Attachment J

Project FTIP Sheet

Attachment J

Los Angeles Metropolitan Transportation Authority 2011 Federal Transportation Improvement Program (\$000)

TIP ID: LA29202W	Implementing Agency Los Angeles County MTA																																																																																																																																																																																																																																																																																				
Project Description: Wilshire Blvd BRT Phase I: 12.5-mi. corridor with 7.7-mi. peak period bus lane on Wilshire within the City and County of LA from Valencia St. to City of Santa Monica. Includes street widening, curb lane repaving/reconstructing, improved traffic signal timing & bus signal priority. Phase II: includes enhanced shelters & landscaping; street repair/reconstruction; concrete bus pads and P&R facilities.		SCAG RTP Project #: LA29202W Is Model: YES Model #: T150 PM: Marta Butler - (213) 922-7651 Email: ButlerM@metro.net LS: N LS GROUP#: Conformity Category: TCM																																																																																																																																																																																																																																																																																			
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Enclosure 2

Environmental Addendum

**Addendum to the
Revised Final Environmental Impact Report
Wilshire Bus Rapid Transit**

State Clearinghouse No. 2009091094



*Los Angeles County
Metropolitan Transportation Authority*

July 9, 2013

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Appendix A CEQA Guidelines Sections 15162 through 15164

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Acronyms and Abbreviations

ADA	Americans with Disabilities Act
AQMP	Air Quality Management Plan
ATCS	Adaptive Traffic Control System
BRT	Bus Rapid Transit
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CO	carbon monoxide
CRHR	California Register of Historical Resources
EA	Environmental Assessment
EIR	Environmental Impact Report
FTA	Federal Transit Administration
GHG	greenhouse gas
LACMTA	Los Angeles County Metropolitan Transportation Authority
LADOT	City of Los Angeles Department of Transportation
LST	Localized Significance Threshold
MMRP	Mitigation Monitoring and Reporting Program
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NRHP	National Register of Historic Places
ROW	right-of-way
SCAQMD	South Coast Air Quality Management District
SHPO	State Historic Preservation Officer
SOC	Statement of Overriding Considerations
TPS	Transit Priority System
VA	Veterans Administration
V/C	volume-to-capacity
VdB	velocity decibel

Section 1 Introduction

A Revised Final Environmental Impact Report (EIR) for the Wilshire Bus Rapid Transit (BRT) Project was completed in April 2011 in accordance with the requirements of the California Environmental Quality Act (CEQA); this EIR was part of a joint document, for which an Environmental Assessment (EA) was also prepared to comply with the requirements of the National Environmental Policy Act (NEPA) and the Federal Transit Administration (FTA). However, for the purpose of this addendum, only the EIR portion of the joint document (i.e., EIR/EA) will be referenced in this report. The EIR was prepared jointly by the Los Angeles County Metropolitan Transportation Authority (LACMTA), the City of Los Angeles (City), and the County of Los Angeles (County). The project was approved by the LACMTA Board of Directors (Board) on May 26, 2011, by the Los Angeles City Council on June 14, 2011, and by the Los Angeles County Board of Supervisors on July 5, 2011.

The Draft EIR, Final EIR, and Revised Final EIR can be viewed at the LACMTA Transportation Library at 1 Gateway Plaza, Los Angeles, CA 90012, or on the LACMTA website at: <http://www.metro.net/projects/wilshire/>.

LACMTA and the County propose minor technical changes to the engineering design of the Wilshire BRT Project in the County of Los Angeles, California. Accordingly, pursuant to CEQA Guidelines Section 15164, the purpose of this Addendum is to document changes to the Wilshire BRT Project and analyze the potential environmental impacts that would result from changes to the project since the certification of the Revised Final EIR. The June 2010 Draft EIR, November 2010 Final EIR, and April 2011 Revised Final EIR are incorporated herein by reference as part of the analysis for this Addendum.

Regulatory Requirements

This Addendum evaluates whether implementation of the proposed project would result in new significant impacts or increase the severity of previously identified significant environmental effects under CEQA. CEQA provides, in Public Resources Code Section 21166, that once an EIR has been prepared for a project, no subsequent or supplemental EIR is to be prepared unless one of the following circumstances occurs:

- a. Substantial changes are proposed in the project that will require major revisions to the environmental impact report;
- b. Substantial changes have occurred with respect to the circumstances under which the project is being undertaken, which will require major revisions to the environmental impact report; or
- c. New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, has become available.

CEQA Guidelines Section 15162 further clarifies the requirements for evaluating proposed changes to a project. Generally, the guidelines state that, once an EIR has been certified, no further EIRs will be prepared unless there are substantial changes in the project, substantial changes in circumstances, or new information of substantial importance, all of which indicate that there will be either a new, significant adverse environmental impact or a substantially more severe adverse environmental impact than previously identified.

This Addendum concludes that the changes to the Wilshire BRT Project would not be substantial, and with implementation of mitigation measures in the previously certified Revised Final EIR, the impact conclusions presented in the Revised Final EIR would remain the same.

As a result, this analysis concludes that preparation of a subsequent or supplemental EIR is not required. Based on this analysis, and pursuant to the CEQA Guidelines, preparation of an Addendum to the Revised Final EIR is appropriate.

Approved Project

The project runs through the densely populated mid-western portion of the City of Los Angeles, from the western edge of downtown at Valencia Street to the east and to the eastern boundary of the City of Santa Monica at Centinela Avenue to the west (Figure 1).

The proposed project spans approximately 12.5 miles along Wilshire Boulevard. Of the 12.5 miles, improvements were originally approved on 9.9 miles of Wilshire Boulevard. In areas along Wilshire Boulevard where no bus lanes are implemented, the buses would operate with mixed-flow traffic). The project as currently approved, Alternative A-1, would provide 7.7 miles of bus lanes. The following improvements are presented in Figure 2, which shows the different segments of Wilshire Boulevard between Valencia Street to the east and Centinela Avenue to the west:

- 7.7 miles of bus lanes from South Park View Street to San Vicente Boulevard (5.4 miles), the western border of the City of Beverly Hills to Comstock Avenue (0.5 mile), Selby Avenue to mid-block Gayley Avenue/Veteran Avenue (0.5 mile), and Bonsall Avenue to Centinela Avenue (1.3 miles);
- 3.6 miles of curb lane reconstruction/resurfacing between Western Avenue and San Vicente Boulevard;
- Lengthen the eastbound left-turn pocket at Sepulveda Boulevard by approximately 470 feet;
- Widen Wilshire Boulevard between Bonsall Avenue and Barrington Avenue to accommodate bus lanes (0.7 mile); and
- Transit priority system (TPS) communication system upgrade; TPS enhancements; signage; and restriping for bus lanes, as necessary, along the project corridor.

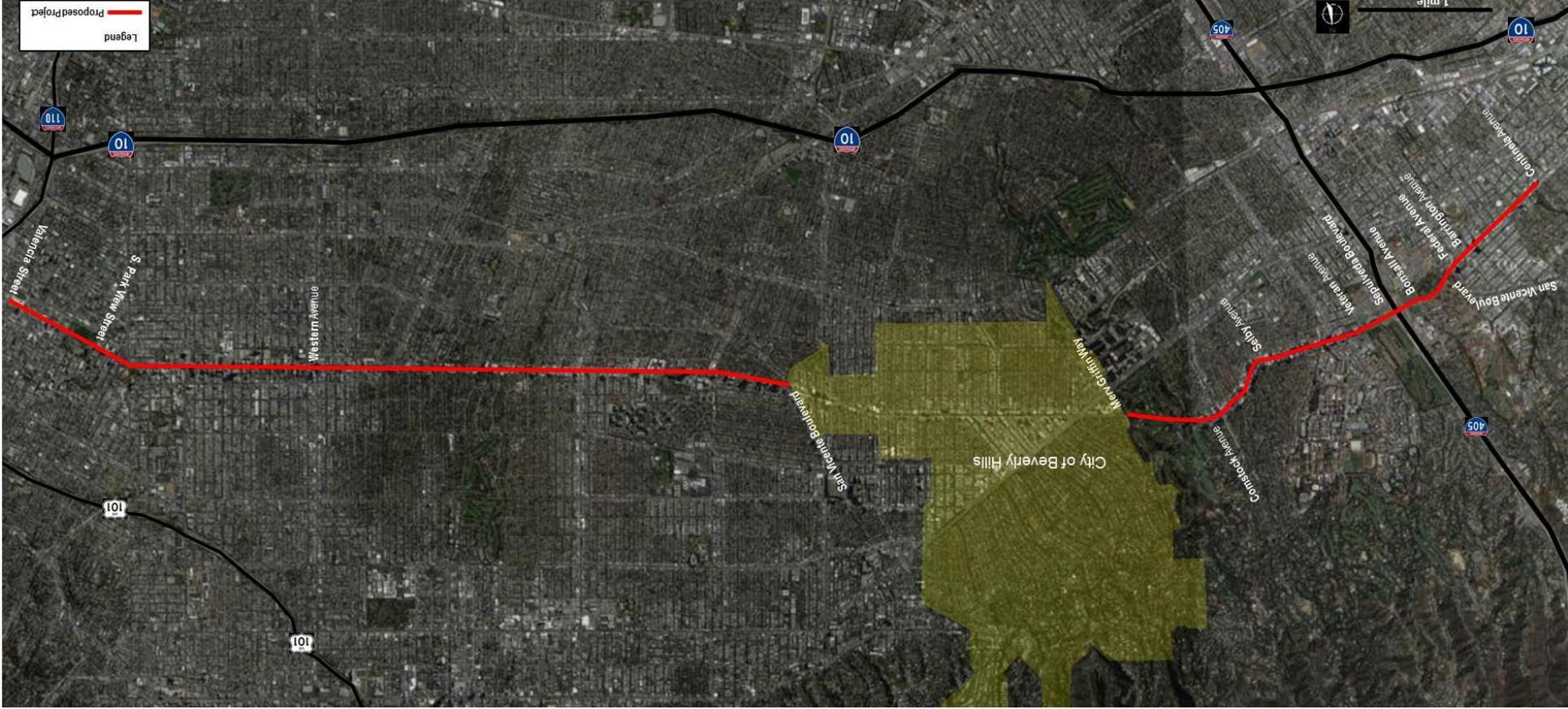
The approved project would reduce sidewalk widths on both sides of Wilshire Boulevard between Bonsall Avenue and Federal Avenue/San Vicente Boulevard, shift the median island further north, restripe the eastbound and westbound lanes, and add a new eastbound only peak period bus lane.

An average reduction of approximately 12 to 14 minutes in passenger travel time per trip is anticipated with the implementation of the project as currently approved. The implementation of the project would also greatly benefit and improve the local service on Wilshire Boulevard, which operates approximately 29 percent slower (on average) than the Metro Rapid service during peak hours. Schedule reliability would also be significantly improved with the implementation of the project.

Proposed Project Modifications

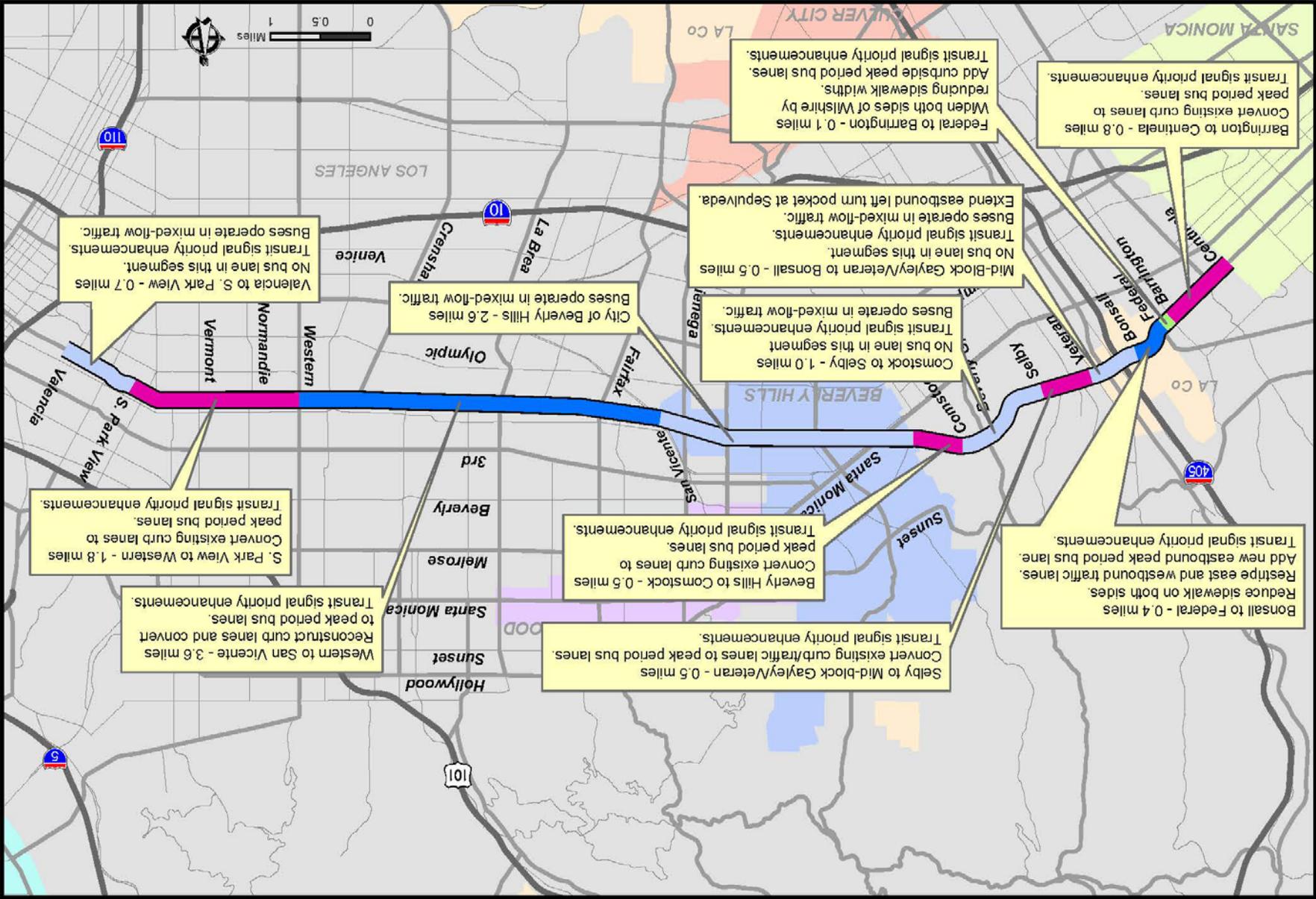
In developing the final design for the project, the County identified some necessary modifications to the project, particularly near the intersection of Wilshire Boulevard and Federal Avenue/San Vicente Boulevard (this street is Federal Avenue south of Wilshire Boulevard and San Vicente Boulevard north of Wilshire Boulevard) in West Los Angeles. The County is now modifying the project in order to maintain the existing street geometrics with regards to the number of travel lanes on the north side, while allowing for the addition of a new peak period eastbound bus lane on the south side between Federal Avenue/San Vicente Boulevard and

FIGURE 1: Project Location and Vicinity



Source: Google Map; Beverly Hills Information Technology, Comprehensive Interactive City Maps, 2013; AECOM, 2013.

FIGURE 2: Approved Project Plan



Source: LACMTA, 2013.

Bonsall Avenue. The proposed project modifications would maintain the existing uninhibited flow of traffic from westbound Wilshire Boulevard onto northbound San Vicente Boulevard and include the following:

- Widen Wilshire Boulevard within a length of approximately 1,100 feet on the north side, between Bonsall Avenue and San Vicente Boulevard, to maintain the existing number of traffic lanes, accommodate the existing uninhibited flow of traffic for the westbound right-turn lane onto northbound San Vicente Boulevard, and maintain a sidewalk in compliance with the Americans with Disabilities Act (ADA);
- Obtain the use of a sliver (approximately 900 feet in length) of the Veterans Administration (VA) property through a long-term revocable license agreement to accommodate the widening of Wilshire Boulevard on the north side;
- Acquire a small portion of the U.S. Army Reserve property at the southeast corner of Wilshire Boulevard and Federal Avenue/San Vicente Boulevard to construct a curb ramp in compliance with the ADA¹; and
- Relocate and reconstruct utilities, including drainage elements associated with the curb, gutter, and sidewalk realignment, which would require approximately 12 feet of excavation to avoid conflict with other existing utilities.

Figure 3 presents these proposed modifications. The remaining portions of the alignment would remain unchanged as approved by the LACMTA Board, the City of Los Angeles City Council, and the Los Angeles County Board of Supervisors.

None of the proposed project modifications herein represent substantial changes to the project, would result in new significant impacts, or contribute to previously identified significant effects that would be substantially more severe than shown in the Revised Final EIR. Accordingly, LACMTA finds that the preparation of an Addendum pursuant to CEQA Guidelines Section 15164 is appropriate.

¹ This curb ramp was included in the original design; however, the Revised Final EIR inadvertently neglected to identify the acquisition of this small portion of the U.S. Army Reserve to accommodate the curb ramp.

FIGURE 3: Proposed Project Modifications



Source: Los Angeles County Department of Public Works, November 2012; AECOM, 2013.

Section 2 Evaluation of Environmental Impacts

This section demonstrates compliance with Sections 15162 through 15164 of the CEQA Guidelines (Appendix A). Specifically, each of the conditions identified in these sections of the CEQA Guidelines is satisfied due to the following:

1. The changes to the Wilshire BRT Project evaluated in the Revised Final EIR, described above in Section 1 (Proposed Project Modifications), would not result in new significant environmental effects. Design modifications to the roadway configuration of Wilshire Boulevard between Bonsall Avenue and Federal Avenue/San Vicente Boulevard in West Los Angeles occurred during development of the final design for the project. The proposed project modifications would involve the use of a small portion of the VA property on the north side of Wilshire Boulevard to accommodate the roadway realignment within this segment of the proposed BRT alignment.

However, this portion of the VA property would be limited to the area outside of the wrought-iron perimeter fence, as indicated in Figure 3. Accordingly, any use or activity within the VA property would not be disturbed or disrupted, and no changes to the wrought-iron fence would occur. Construction in this area would result in the removal and replacement of landscaping (i.e., the bushes adjacent to the wrought-iron fence), the temporary closure of the sidewalk, and the planting of new street trees and shrubbery.

In addition, a small portion of the U.S. Army Reserve property would be acquired to accommodate a curb ramp in compliance with ADA requirements at the southeast corner of Wilshire Boulevard and Federal Avenue/San Vicente Boulevard. Similar to the VA property, any use or activity within the U.S. Army Reserve property would not be disturbed or disrupted. However, the wrought-iron perimeter fence would be moved and replaced during the construction of the curb ramp.

Construction on the north and south sides would be phased to maintain access to the sidewalk in this area one side at a time. Construction of each side is anticipated to take approximately two months. Once construction has been completed, the original proposal to modify the sidewalks to a uniform width would be implemented.

2. Circumstances and existing conditions surrounding the project alignment and study area have not changed from those depicted in the Revised Final EIR.
3. There is no substantial new information. The proposed project modifications do not constitute substantial new information as defined in the CEQA Guidelines. Changes to the project would not result in additional significant impacts beyond those discussed in the Revised Final EIR. Rather, all significant impacts that were disclosed in the Revised Final EIR remain the same or will be mitigated, as feasible. Additionally, the intent of the mitigation measures remains unchanged.

Comparison of Project to Previous Findings

The findings of the Revised Final EIR and any associated mitigation measures are summarized to provide a basis of comparison of the impacts associated with the proposed project modifications. Generally, impacts associated with the proposed project modifications remain consistent with the findings of the Revised Final EIR; no new impacts beyond those previously disclosed are identified. The following presents the seven impact categories that were analyzed in the Revised Final EIR, as well as those areas that were determined not to have significant effects as identified in the Revised Final EIR or this Addendum.

2.1 Traffic, Circulation, and Parking

Applicable CEQA Thresholds

- a) Would the proposed project have a new or substantially more severe impact related to an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

The intersection LOS analysis assumes that an intersection would be significantly affected by traffic volume changes if the project will cause an increase in average vehicle delay according to the following thresholds that were established by the City of Los Angeles Department of Transportation (LADOT):

Final LOS C –if the delay is increased by 10 or more seconds;

Final LOS D –if the delay is increased by 4.0 or more seconds; and

Final LOS E/F –if the delay is increased by 2.5 or more seconds.

- b) Would the proposed project exceed significance criteria for local residential streets?
- c) Would the proposed project exceed parking requirements or result in inadequate parking supply?
- d) Would the proposed project result in inadequate emergency access?

Revised Final EIR Conclusions

Traffic, circulation, and parking impacts were discussed in Chapter 4.0 and Section 5.2.3 of the Revised Final EIR, which determined that the approved project would result in significant unavoidable impacts at eight intersections since no feasible mitigation measures that fully mitigate impacts at these intersections could be identified.

The Revised Final EIR concluded that traffic diversion onto local residential streets was unlikely due to the high delay in left-turn movements or restriction imposed on such movements. Therefore, no significant impacts to local residential streets were expected. Similarly, the parking analysis in the Revised Final EIR concluded that the removal or restriction of parking spaces on Wilshire Boulevard would result in less-than-significant impacts.

The Revised Final EIR also identified that along the Wilshire Boulevard BRT route, Metro buses would transition into and out of mixed-flow travel lanes at certain locations, depending on downstream roadway capacity changes and jurisdictional boundaries. In order to reduce or avoid automobile/bus transition conflicts, the project would include installation of appropriate signage along Wilshire Boulevard adjacent to each of the areas of potential conflict to inform motorists of bus lane operation during peak hours. Accordingly, the Revised Final EIR concluded that installation of signage would ensure that the project would result in less-than-significant impacts related to automobile/bus transition conflicts.

Lastly, the project would allow emergency vehicles to use the bus lanes when they are in operation, and because these lanes would be free of most other vehicular traffic, emergency

response time would likely improve during peak periods. During construction activities, alternative access routes would be utilized, and local emergency access would be retained at all times. Therefore, the Revised Final EIR concluded that a less-than-significant impact would occur.

The following mitigation measures were specified in the Revised Final EIR to improve traffic operations and reduce the impacts to less-than-significant levels at the following locations:

T-1:

- Barrington Avenue/Wilshire Boulevard – The traffic signal at this intersection shall be modified to include a westbound “Protected plus Permitted” phase. By adding a “protected” left-turn phasing (a left-turn arrow), traffic operations can be improved and delay reduced, and the project impact at this location would be eliminated.
- Westwood Boulevard/Santa Monica Boulevard – The southbound approach shall be restriped to add a second left-turn lane, and the southbound left-turn signal phasing shall be modified to “Protected” phasing. By adding a “protected” left-turn phasing, traffic operations can be improved and delay reduced, and the project impact at this location would be eliminated.
- Fairfax Avenue/Olympic Boulevard – The traffic signal phasing shall be modified to improve efficiency, and an Adaptive Traffic Control System (ATCS) shall be installed at eight intersections on Olympic Boulevard between Fairfax Avenue and La Brea Avenue. The ATCS is a personal computer-based program that provides a fully responsive method to accommodate real-time (actual) traffic conditions. The expected benefit to traffic flow is a reduction in the volume-to-capacity (V/C) ratio of 0.03 at the eight upgraded intersections, which corresponds to a 7.5 second reduction in overall intersection delay.
- La Brea Avenue/Olympic Boulevard – The traffic signal shall be modified to include an eastbound “Protected plus Permitted” phase. By adding a “Protected plus Permitted” left-turn phasing for heavy turning movements, traffic operations can be improved and delay reduced, and the project impact at this location would be eliminated.
- Crenshaw Boulevard/Olympic Boulevard – ATCS shall be installed at six intersections along Olympic Boulevard between La Brea Avenue and Crenshaw Boulevard. The expected benefit to traffic flow is a reduction in the volume-to-capacity (V/C) ratio of 0.03 at the six upgraded intersections, which corresponds to a 7.5 second reduction in overall intersection delay.

Proposed Project Modifications

The proposed project modifications would not result in changes to the number of traffic lanes and street capacities. Accordingly, traffic, circulation, and parking impacts remain the same as previously disclosed in the Revised Final EIR.

With implementation of Mitigation Measure **T-1**, no new impacts related to transportation, circulation, and parking would occur from the proposed project modifications.

Current Project-Specific or Modified Mitigation Measures. None required.

The proposed project modifications to the Wilshire BRT Project would not cause any new or substantially more significant impacts related to transportation, circulation, and parking than previously addressed in the Revised Final EIR.

2.2 Air Quality

Applicable CEQA Thresholds

- a) Would the proposed project conflict with or obstruction to implementation of the applicable air quality plan?
- b) Would the proposed project violate of any air quality standard or contribute substantially to an existing or projected air quality violation?
- c) Would the proposed project expose sensitive receptors to substantial pollutant concentrations?
- d) Would the proposed project generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?

Revised Final EIR Conclusions

Air quality and greenhouse gas (GHG) emissions were discussed in Chapter 4.0 and Section 5.2.3 of the Revised Final EIR, which determined that the project would be consistent with the South Coast Air Quality Management District's (SCAQMD) Air Quality Management Plan (AQMP). With regard to regional construction period impacts, the Revised Final EIR concluded that criteria pollutant emissions during project construction would be less than the applicable SCAQMD significance thresholds and, as such, would result in a less-than-significant regional air quality impact. Similarly, with regard to localized construction period impacts, the Revised Final EIR concluded that localized emissions would be less than the applicable SCAQMD Localized Significance Threshold (LST) and, as such, would result in a less-than-significant localized air quality impact.

The Revised Final EIR also determined that air quality impacts that would potentially result from traffic impacts during the operation of the approved project would be less than significant, for both criteria pollutants and toxic air contaminants. Therefore, no violation of air quality standards would occur. In addition, carbon monoxide (CO) concentrations for a.m. and p.m. 1- and 8-hour CO levels would not have a substantial adverse effect on 1-hour or 8-hour local CO concentrations due to mobile source emissions. Accordingly, less-than-significant impacts would occur at the intersections with the highest traffic volumes located adjacent to sensitive receptors. Similarly, the Revised Final EIR concluded that GHG emissions due to construction and operation of the approved project would also result in less-than-significant impacts. The following Mitigation Measures **AQ-1** through **AQ-4** would ensure that any impacts related to GHG emissions are reduced or avoided as much as possible:

AQ-1: To the extent applicable and practicable, minimize, reuse, and recycle construction-related waste.

AQ-2: Minimize grading, earth-moving, and other energy-intensive construction practices.

AQ-3: To the extent applicable and practicable, replacement trees or landscaping shall be provided.

AQ-4: To the extent applicable and practicable, use solar power or electricity from power poles rather than temporary diesel power generators.

Proposed Project Modifications

The proposed project modifications would not result in changes to the number of traffic lanes and street capacities. The proposed project modifications may slightly extend the duration of construction activity but are not anticipated to increase the severity of construction effects. Construction emissions would still be temporary, and localized emissions would remain to be less than the applicable SCAQMD LST. Overall, the proposed project modifications would result in similar daily regional emissions as presented in the Revised Final EIR although the construction period may be slightly extended. No significant impacts related to air quality localized concentrations would result from the proposed project modifications.

Operation of the project with the proposed modifications would have impacts similar to those previously analyzed in the Revised Final EIR and would not generate any new operational emissions beyond those previously disclosed. Therefore, no significant impacts related to air quality would occur from the proposed project modifications.

The proposed project modifications would have a minute effect on the overall GHG emissions. The new modifications to a short segment of the BRT route in West Los Angeles, including roadway alignment and sidewalks, would not have a substantially noticeable effect on GHGs beyond what was described in the Revised Final EIR because of the limited scope, scale, and location of the work. Therefore, impacts related to GHG emissions would be less than significant.

Current Project-Specific or Modified Mitigation Measures. None required.

The proposed project modifications to the Wilshire BRT Project would not cause any new or substantially more significant impacts related to air quality and GHG than previously addressed in the Revised Final EIR.

2.3 Cultural Resources

Applicable CEQA Thresholds

- a) Would the proposed project cause substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?
- b) Would the proposed project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?
- c) Would the proposed project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Revised Final EIR Conclusions

Impacts to cultural resources, including historic, archaeological, and paleontological resources, were discussed in Chapter 4.0 and Section 5.2.3 of the Revised Final EIR, which determined that modifications to the sidewalks adjacent to historic resources would have no direct or indirect impact on the characteristics that qualify those resources for inclusion in the National Register of Historic Places (NRHP) or the California Register of Historical Resources (CRHR). Similarly, the Revised Final EIR determined that the bulk of the project involves activities, such as sidewalk removal, pavement replacement, or restriping, which are not ground disturbing. For purposes of this project, pavement replacement is not considered a ground-disturbing activity. In those instances where sidewalk widths would be reduced or turn pockets altered, the projected depths of subsurface work are anticipated to be very shallow. Due to previous complications of encountering tar seepage during construction related activities in portions of the project corridor, ground disturbance during project construction is not anticipated to go beyond two feet below the surface. The Revised Final EIR concluded that the approved project would not result in any direct or indirect impacts on archaeological and paleontological resources. Accordingly, no mitigation measures are required.

Proposed Project Modifications

The portion of the VA property to be obtained would be limited to the area outside of the wrought-iron perimeter fence. Accordingly, any use or activity within the VA property would not be disturbed or disrupted, and no changes to the wrought-iron fence would occur. Construction in this area would result in the removal and replacement of landscaping (i.e., the bushes adjacent to the wrought-iron fence), the temporary closure of the sidewalk, and the planting of new street trees and shrubbery. These activities would have no direct or indirect impact on the characteristics of the Los Angeles National Veterans Park, which is a component of the VA Medical Center Historic District. Similarly, the portion of the U.S. Army Reserve property to be acquired would be limited to a small triangular grass area on the northwestern corner of the property. Construction in this area would result in the removal and replacement of the wrought-iron fence lining the northwestern corner of the property and the grass area to accommodate the new curb ramp. These activities would have no direct or indirect impact on the characteristics of the U.S. Army Reserve Center/Sadao Munemori Hall, which was determined not eligible for the National Register by the U.S. Army in accordance with Section 110 of the National Historic Preservation Act (NHPA).²

In addition, operation of the project with the proposed modifications would have impacts similar to those previously analyzed in the Revised Final EIR and would not generate any new impacts to any historic resources or district beyond those previously disclosed. Therefore, no significant impacts related to historic resources would occur from the proposed project modifications.

With regard to archaeological and paleontological resources, the proposed modifications would result in the same type of construction activities as the approved project, including sidewalk removal/replacement, pavement replacement, and restriping. However, the proposed project modifications would require excavation beyond two feet to accommodate the relocation of some utilities and drainage elements associated with the curb, gutter, and sidewalk realignment. Final project design requires approximately five feet to 12 feet of excavation within the road pavement. Nevertheless, as identified in the Draft EIR, which was incorporated by reference in

² FTA, Rogers, Leslie T., Regional Administrator, "Section 106 Update for the Wilshire Bus Rapid Transit Project Letter to Carol Roland-Nawi, Ph.D., State Historic Preservation Office, Office of Historic Preservation, California Department of Parks and Recreation," dated March 15, 2013.

the Revised Final EIR, compliance with Section 15064.5(d) of the CEQA Guidelines would ensure that no significant impact archaeological and paleontological resources would occur. The CEQA Guidelines provide that if paleontological resources are discovered during construction-related ground-disturbing activities, work shall stop in the vicinity until a qualified paleontologist can assess the significance of the find and, if necessary, develop appropriate treatment measures, which may include monitoring by a qualified paleontologist during construction-related ground-disturbing activities. In addition, as recommended by the California State Historic Preservation Officer (SHPO), due to the potential for encountering subsurface archaeological deposits during excavation, a qualified historic archaeological monitor will be present during any ground-disturbing activities associated with the utility and drainage relocation to allow for a rapid response to address any post-review discoveries pursuant to the requirements of the Code of Federal Regulations (36 CFR 800.13(b)). Therefore, construction of the project with the proposed modifications would be subject to similar compliance requirements that have been previously identified in the Revised Final EIR and would not generate any new impacts to archaeological and paleontological resources beyond those previously disclosed.

Current Project-Specific or Modified Mitigation Measures. None required.

The proposed project modifications to the Wilshire BRT Project would not cause any new or substantially more significant impacts related to cultural resources than previously addressed in the Revised Final EIR.

2.4 Noise

Applicable CEQA Thresholds

- a) Would the proposed project expose persons or generate noise in levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies or to substantial permanent increase in ambient noise in the project vicinity?
- b) Would the proposed project expose people to or generate excessive groundborne vibration or groundborne noise levels?

Revised Final EIR Conclusions

Noise and vibration impacts were discussed in Chapter 4.0 and Section 5.2.3 of the Revised Final EIR, which determined that excavation activities for roadway reconstruction of the curb lanes between Western Avenue and Fairfax Avenue may increase noise levels by more than 15 decibels from the typical ambient daytime noise levels. However, the Revised Final EIR also determined that although these increases would be substantial, they would be intermittent and temporary during daytime hours as permitted by the City Los Angeles's Noise Ordinance (i.e., 7:00 a.m. to 9:00 p.m. during weekdays, and 8:00 a.m. to 6:00 p.m. on Saturdays). Therefore, the Revised Final EIR concluded that it is unlikely that significant impacts on noise-sensitive uses or activities would occur. In addition, the Revised Final EIR identified that along other corridor segments with sensitive receptors, project construction would not result in increases in noise from existing levels above the 15-decibel threshold of significance. Although a less-than-significant impact would occur, the Revised Final EIR recommended noise control measures (as

identified below) during construction to reduce the noise levels to the extent practicable and minimize the noise effects on sensitive receptors located near the project alignment.

With regard to project operation, the Revised Final EIR determined that the approved project would not cause an exceedance of City of Los Angeles or County of Los Angeles noise standards or materially worsen an existing standard violation. Therefore, the Revised Final EIR concluded that traffic noise associated with the approved project would be considered a less-than-significant impact.

With regard to vibration, the Revised Final EIR determined that vibration levels due to construction activities near sensitive receptors would be temporary and would be well below the significance criterion of 0.2 inches per second Peak Particle Velocity (PPV). Accordingly, construction vibration and groundborne noise impacts would be less than significant. During project operation, groundborne vibration would continue to be generated by vehicles traveling along local roadways, as they do in the existing conditions. Vibration from a typical bus or truck would be approximately 65 VdB (velocity decibel) at a reference distance of 50 feet or approximately 56 VdB at a distance of 100 feet. The threshold of perception for groundborne vibration is 65 VdB. There are no sensitive-receptors adjacent to Wilshire Boulevard between Sepulveda Boulevard and Barrington Avenue. Therefore, the approved project would result in less-than-significant operational vibration impacts, and no mitigation would be required.

The following measures were recommended in the Revised Final EIR to minimize construction noise impacts:

- N-1** To the extent applicable, practicable, and feasible, all noise-producing construction equipment and vehicles using internal combustion engines shall be equipped with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features in good operating condition that meet or exceed original factory specification. Mobile or fixed “package” equipment (e.g., arc-welders, air compressors) may be equipped with shrouds and noise control features that are readily available for that type of equipment.
- N-2** To the extent applicable, practicable, and feasible, electrically powered equipment shall be used instead of pneumatic or internal combustion powered equipment.
- N-3** The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.
- N-4** No project-related public address or music system shall be audible at any adjacent receptor.

Proposed Project Modifications

The proposed project modifications would not result in changes to the number of traffic lanes and street capacities. The proposed project modifications may slightly extend the duration of construction activity but are not anticipated to increase the severity of construction effects. There are no sensitive receptors located in the immediate area of the proposed project modifications. Since the proposed project modifications would only bring the closest travel lane approximately 9 to 14 feet closer to the Los Angeles National Veterans Park and U.S. Army Reserve properties, the change in noise levels would not be readily perceptible. Project

construction would not result in an increase in noise from existing levels above the 15-decibel threshold of significance. Overall, the proposed project modifications would result in similar noise and vibration levels as presented in the Revised Final EIR although the construction period may be slightly extended.

A doubling of the distance between a vibration source and a sensitive receptor results in a decrease of approximately 9 VdB. Most of the sensitive-receptors on Wilshire Boulevard are located approximately 40-50 feet from the nearest travel lane on Wilshire Boulevard. Since the proposed project modifications would only bring the closest travel lane approximately 9 to 14 feet closer to the receptor (i.e., Los Angeles National Veterans Park), the change in vibration levels would not be readily perceivable. Operation of the project with the proposed modifications would have impacts similar to those previously analyzed in the Revised Final EIR and would not generate any new operational noise and vibration impacts beyond those previously disclosed. Therefore, no significant impacts related to noise and vibration would occur from the proposed project modifications.

Current Project-Specific or Modified Mitigation Measures. None required.

The proposed project modifications to the Wilshire BRT Project would not cause any new or substantially more significant impacts related to noise and vibration than previously addressed in the Revised Final EIR.

2.5 Land Use

Applicable CEQA Thresholds

- a) Would the proposed project result in an incompatibility with adjacent and surrounding land uses caused by degradation or disturbances that diminish the quality of a particular land use?
- b) Would the proposed project result in the physical division of an established community?
- c) Would the proposed project result in inconsistency with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project?

Revised Final EIR Conclusions

Land use impacts were discussed in Chapter 4.0 and Section 5.2.3 of the Revised Final EIR, which determined that the approved project would not result in any related to compatibility with surrounding land uses, division of an existing neighborhood, or inconsistency with applicable land use plans, policies, or regulations. More specifically, the Revised Final EIR determined that since the approved project would include transportation improvements to portions of the Wilshire Corridor, an existing transportation corridor, no new areas outside of the City and County of Los Angeles rights-of-way would be acquired, and no land uses would be converted to transportation uses. Accordingly, no mitigation measures were required.

Proposed Project Modifications

The portion of the VA property to be obtained would be limited to the area outside of the wrought-iron perimeter fence. Accordingly, any use or activity within the VA property would not

be disturbed or disrupted, and no changes to the wrought-iron fence would occur. Construction in this area would result in the removal and replacement of landscaping (i.e., the bushes adjacent to the wrought-iron fence), the temporary closure of the sidewalk, and the planting of new street trees and shrubbery. These activities would have no direct or indirect impact on the existing uses at the VA property. Similarly, the portion of the U.S. Army Reserve property to be acquired would be limited to a small triangular grass area on the northwestern corner of the property. Construction in this area would result in the removal and replacement of the wrought-iron fence lining the northwestern corner of the property and the grass area to accommodate the new curb ramp. These activities would have no direct or indirect impact on the existing uses at the U.S. Army Reserve property. In addition, operation of the project with the proposed modifications would have impacts similar to those previously analyzed in the Revised Final EIR and would not generate any new impacts to existing land uses or neighborhoods in the project area beyond those previously disclosed. Therefore, no significant impacts related to land use would occur from the proposed project modifications.

Current Project-Specific or Modified Mitigation Measures. None required.

The proposed project modifications to the Wilshire BRT Project would not cause any new or substantially more significant impacts related to land use than previously addressed in the Revised Final EIR.

2.6 Aesthetics

Applicable CEQA Thresholds

- a) Would the proposed project substantially degrade the existing visual character or quality of the site and its surroundings?

Revised Final EIR Conclusions

Aesthetic impacts were discussed in Chapter 4.0 and Section 5.2.3 of the Revised Final EIR, which determined that since the approved project would not include structures or other elements that would potentially obstruct views of far-off scenic features or structures that contribute to the visual character of the corridor. As identified in the Revised Final EIR, the approved project would comply with all local construction standards and guidelines such that the project would not significantly affect the visual integrity of the surrounding neighborhood and streetscape/landscape along Wilshire Boulevard. The Revised Final EIR also determined that the project would not result in a substantial new amount of lighting, or shadow effects, along Wilshire Boulevard. Therefore, less-than-significant visual impacts would result from project implementation. Accordingly, no mitigation measures were required.

Proposed Project Modifications

The portion of the VA property to be obtained would be limited to the area outside of the wrought-iron perimeter fence. Construction in this area would result in the removal and replacement of landscaping (i.e., the bushes adjacent to the wrought-iron fence), the temporary closure of the sidewalk, and the planting of new street trees and shrubbery. The proposed project modifications would not result in a change to the existing visual character of the adjacent Los Angeles National Veterans Park, which is part of the Veterans Administration Medical Center Historic District. Similarly, the portion of the U.S. Army Reserve property to be acquired

would be limited to a small triangular grass area on the northwestern corner of the property. Construction in this area would result in the removal and replacement of the wrought-iron fence lining the northwestern corner of the property and the grass area to accommodate the new curb ramp. These activities would have no direct or indirect impact on the characteristics of the U.S. Army Reserve property. Operation of the project with the proposed modifications would have impacts similar to those previously analyzed in the Revised Final EIR and would not generate any new impacts related to scenic resources, aesthetics, or visual quality in the project area or along the project corridor beyond those previously disclosed. Therefore, no significant aesthetic or visual impacts would occur from the proposed project modifications.

Current Project-Specific or Modified Mitigation Measures. None required.

The proposed project modifications to the Wilshire BRT Project would not cause any new or substantially more significant impacts related to aesthetic and visual resources than previously addressed in the Revised Final EIR.

2.7 Biological Resources

Applicable CEQA Thresholds

- a) Would the proposed project result in the loss of individuals, or the reduction of existing habitat, of a state or federal listed endangered, threatened, rare, protected, or candidate species, or a Species of Special Concern or federally listed critical habitat?
- b) Would the proposed project interfere with wildlife movement/migration corridors that may diminish the chances for long-term survival of a sensitive species?
- c) Would the proposed project conflict with local policies or ordinances protecting biological resources?

Revised Final EIR Conclusions

Impacts to biological resources were discussed in Chapter 4.0 and Section 5.2.3 of the Revised Final EIR, which determined that project operation would not create any new impacts related to ecologically sensitive areas and endangered species beyond existing conditions. The project corridor is already used by buses and other vehicles. In addition, the urban setting of the Wilshire corridor provides no opportunity for accessible movement between two or more existing open spaces. The segment of the approved project, where an existing eastbound left-turn pocket would be extended and the street widened between Bonsall and Federal Avenues, would involve the removal of a maximum of 30 small jacaranda trees between I-405 and Federal Avenue. However, these trees are ornamental and would not provide suitable habitat for migratory birds. Therefore, a less-than-significant impact to biological resources would occur.

Proposed Project Modifications

The portion of the VA property to be obtained would be limited to the area outside of the wrought-iron perimeter fence. Accordingly, any use or activity within the VA property would not be disturbed or disrupted, and no changes to the wrought-iron fence would occur. Construction in this area would result in the removal and replacement of landscaping (i.e., the bushes

adjacent to the wrought-iron fence) and the planting of new street trees and shrubbery, which would not be considered a significant impact on sensitive biological resources. Similarly, the portion of the U.S. Army Reserve property to be acquired would be limited to a small triangular grass area on the northwestern corner of the property. Construction in this area would result in the removal and replacement of the wrought-iron fence lining the northwestern corner of the property and the grass area to accommodate the new curb ramp, which would not be considered a significant impact on sensitive biological resources. The proposed project modifications would not occur in areas of native habitat or have an effect on sensitive species. In addition, operation of the project with the proposed modifications would have impacts similar to those previously analyzed in the Revised Final EIR and would not generate any new impacts to biological resources beyond those previously disclosed. Therefore, no significant impacts to biological resources would occur from the proposed project modifications.

Current Project-Specific or Modified Mitigation Measures. None required.

The proposed project modifications to the Wilshire BRT Project would not cause any new or substantially more significant impacts related to ecosystems and biological resources than previously addressed in the Revised Final EIR.

2.8 Effects Determined Not To Be Significant

In preparation of this Addendum, certain CEQA topic areas were not discussed because these effects were considered not significant or not expected to occur. These topic areas, which were also considered not significant in Section 6.5 of the Revised Final EIR, include the following:

- Agricultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology/Water Quality
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Utilities

The proposed project modifications would not result in the need to address these topic areas. The scope of the proposed modifications is minor and would not result in any new impacts beyond those previously disclosed in the Revised Final EIR. Therefore, no significant impacts to these topic areas would occur with the proposed project modifications.

Conclusion

The Revised Final EIR, as modified by this Addendum, may be used by LACMTA in their consideration of the request by the County to implement the proposed project modifications.

Section 3 List of Preparers

LACMTA

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- Kathalyn Tung, Environmental Planner

Section 4 References

Draft Environmental Impact Report/Environmental Assessment for the Wilshire Bus Rapid Transit Project, State Clearinghouse No. 2009091094. Los Angeles County Metropolitan Transportation Authority and U.S. Department of Transportation Federal Transit Administration, June 2010.

Final Environmental Impact Report/Environmental Assessment for the Wilshire Bus Rapid Transit Project, State Clearinghouse No. 2009091094. Los Angeles County Metropolitan Transportation Authority and U.S. Department of Transportation Federal Transit Administration, November 2010.

Revised Final Environmental Impact Report/Environmental Assessment for the Wilshire Bus Rapid Transit Project, State Clearinghouse No. 2009091094. Los Angeles County Metropolitan Transportation Authority and U.S. Department of Transportation Federal Transit Administration, April 2011.

“Section 106 Update for the Wilshire Bus Rapid Transit (BRT) Project, City and County of Los Angeles, CA, Letter to Leslie Rogers, Regional Administrator, Federal Transit Administration,” State of California Office of Historic Preservation, Department of Parks and Recreation. Roland-Nawi, Carol, PhD, State Historic Preservation Officer, dated June 14, 2013.

“Section 106 Update for the Wilshire Bus Rapid Transit Project Letter to Carol Roland-Nawi, Ph.D., State Historic Preservation Office, Office of Historic Preservation, California Department of Parks and Recreation,” U.S. Department of Transportation Federal Transit Administration, Rogers, Leslie T., Regional Administrator, dated March 15, 2013.

APPENDIX A
CEQA Guidelines
Sections 15162 through 15164

sufficient, the city or county lead agency shall include that determination in its findings for the water-demand project.

Note: Authority Cited: Section 21083, Public Resources Code. Reference: Section 21151.9, Public Resources Code, Sections 10910–10915 of the Water Code.

Article 11. Types of EIRs

SECTIONS 15160 TO 15170

15160. GENERAL

This article describes a number of examples of variations in EIRs as the documents are tailored to different situations and intended uses. These variations are not exclusive. Lead Agencies may use other variations consistent with the Guidelines to meet the needs of other circumstances. All EIRs must meet the content requirements discussed in Article 9 beginning with Section 15120.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Sections 21061, 21100, and 21151, Public Resources Code.

15161. PROJECT EIR

The most common type of EIR examines the environmental impacts of a specific development project. This type of EIR should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine all phases of the project including planning, construction, and operation.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Sections 21061, 21100, and 21151, Public Resources Code.

15162. SUBSEQUENT EIRS AND NEGATIVE DECLARATIONS

- (a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
 - (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 - (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 - (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
- (b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.
- (c) Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subdivision (a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation no other responsible agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted.
- (d) A subsequent EIR or subsequent negative declaration shall be given the same notice and public review as required under Section 15087 or Section 15072. A subsequent EIR or negative declaration shall state where the previous document is available and can be reviewed.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Section 21166, Public Resources Code; *Bowman v. City of Petaluma* (1986) 185 Cal.App.3d 1065; *Benton v. Board of Supervisors* (1991) 226 Cal.App.3d 1467; and *Fort Mojave Indian Tribe v. California Department of Health Services et al.* (1995) 38 Cal.App.4th 1574.

15163. SUPPLEMENT TO AN EIR

- (a) The Lead or Responsible Agency may choose to prepare a supplement to an EIR rather than a subsequent EIR if:
 - (1) Any of the conditions described in Section 15162 would require the preparation of a subsequent EIR, and
 - (2) Only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.
- (b) The supplement to the EIR need contain only the information necessary to make the previous EIR adequate for the project as revised.
- (c) A supplement to an EIR shall be given the same kind of notice and public review as is given to a draft EIR under Section 15087.
- (d) A supplement to an EIR may be circulated by itself without recirculating the previous draft or final EIR.
- (e) When the agency decides whether to approve the project, the decision-making body shall consider the previous EIR as revised by the supplemental EIR. A finding under Section 15091 shall be made for each significant effect shown in the previous EIR as revised.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Section 21166, Public Resources Code.

15164. ADDENDUM TO AN EIR OR NEGATIVE DECLARATION

- (a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

- (b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.
- (c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.
- (d) The decision making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.
- (e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Section 21166, Public Resources Code; *Bowman v. City of Petaluma* (1986) 185 Cal.App.3d 1065; and *Benton v. Board of Supervisors* (1991) 226 Cal.App.3d 1467.

15165. MULTIPLE AND PHASED PROJECTS

Where individual projects are, or a phased project is, to be undertaken and where the total undertaking comprises a project with significant environmental effect, the Lead Agency shall prepare a single program EIR for the ultimate project as described in Section 15168. Where an individual project is a necessary precedent for action on a larger project, or commits the Lead Agency to a larger project, with significant environmental effect, an EIR must address itself to the scope of the larger project. Where one project is one of several similar projects of a public agency, but is not deemed a part of a larger undertaking or a larger project, the agency may prepare one EIR for all projects, or one for each project, but shall in either case comment upon the cumulative effect.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Sections 21061, 21100, and 21151, Public Resources Code; *Whitman v. Board of Supervisors*, (1979) 88 Cal. App. 3d 397.

15166. EIR AS PART OF A GENERAL PLAN

- (a) The requirements for preparing an EIR on a local general plan, element, or amendment thereof will be satisfied by using the general plan, or element document, as the EIR and no separate EIR will be required, if:
 - (1) The general plan addresses all the points required to be in an EIR by Article 9 of these Guidelines, and
 - (2) The document contains a special section or a cover sheet identifying where the general plan document addresses each of the points required.
- (b) Where an EIR rather than a Negative Declaration has been prepared for a general plan, element, or amendment thereto, the EIR shall be forwarded to the State Clearinghouse for review. The requirement shall apply regardless of whether the EIR is prepared as a separate document or as a part of the general plan or element document.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Sections 21003, 21061, 21083, 21100, 21104, 21151, and 21152, Public Resources Code.

15167. STAGED EIR

- (a) Where a large capital project will require a number of discretionary approvals from government agencies and one of the approvals will occur more than two years before construction will begin, a staged EIR may be prepared covering the entire project in a general form. The staged EIR shall evaluate the proposal in light of current and contemplated plans and produce an informed estimate of the environmental consequences of the entire project. The aspect of the project before the public agency for approval shall be discussed with a greater degree of specificity.